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GREAT BRITAIN

AND

THE ILLINOIS COUNTRY

1763-1774

BY

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TO

MY FATHER AND MOTHER

PREFACE.

In the present study my researches have been directed toward the discovery of the legal, political, and economic relations between Great Britain and the Illinois colony, and the political events in Illinois which illustrate some of those general relations. In addition to the Illinois settlement, the great West which was ceded to England in 1763 included other colonies of comparatively equal importance, the chief of which was Detroit. Whatever general principles, therefore, are ascertained with reference to the relations between the home government and the Illinois French apply equally to the whole West. In the discussion of the illustrative events, however, I have followed their course in Illinois alone.

In chapters I and III, both of which are in a sense introductory, no serious attempt has been made at original investigation. On certain points, however, I have sought to verify secondary authorities and harmonize conflicting statements by an examination of the sources. Chapter II deals with the legal position of the western settlements in the empire. Chapters IV and VII contain a narrative of events in Illinois from 1765 to 1774, gleaned entirely from hitherto unused manuscript material. The question of the economic importance of the West to the empire is discussed in chapter V. The various attempts to colonize the Illinois country by English settlers and the attitude of Great Britain toward such enterprises in general occupy chapter VI. This subject has been handled by previous writers, but considerable new material has been found which throws light on the colonizing movement, enabling one to disentangle the various plans.

The printed sources of value covering the period are few. Such collections, however, as the *Documents relating to the Colonial History of the State of New York*, the various editions of the works of Benjamin Franklin, and the *Reports on Canadian Archives* have been invaluable. The essay as a whole has been based, however, upon manuscript sources found in the various archives of the United States, Canada, and Europe. A personal search was made not only in the local archives of the State of Illinois, but in the libraries of the middle western and eastern States, as well as in the Public Record Office and the British Museum in London. In the last named places the bulk of the material was found.

I desire to express my gratitude for aid and encouragement to Professor Evarts B. Greene, in whose seminar in history at the University of Illinois this essay was begun, and especially to Professor Clarence W. Alvord of the University of Illinois, whose intimate knowledge of the field has been of material assistance throughout my study. I also wish to express my thanks for helpful criticisms of the manuscript to Professor Guy Stanton Ford of the University of Illinois, to President C. H. Rammelkamp and to Professor J. Griffith Ames of Illinois College, and to Professor Charles H. Hull of Cornell University, chairman of the Justin Winsor Prize committee. I owe an especial debt of gratitude to my wife and faithful amanuensis, without whose encouragement the essay would not have been completed in its present form.

CLARENCE E. CARTER.

JACKSONVILLE, ILLINOIS, *August 20, 1909*.

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CHAPTER I.

Introductory Survey.

As a result of the treaty of Paris (1763) which added to the empire immense areas of territory peopled with savages and alien inhabitants, Great Britain was confronted with the momentous problem of readjusting all her colonial relations. At this time the necessity of strengthening the imperial ties between the old colonies and the mother country and of reorganizing the new acquisitions came to the forefront and led the government into a course soon to end in the disruption of the empire. Certainly not the least of the questions demanding solution was the disposition of the country lying to the westward of the colonies, including a number of French settlements and a broad belt of Indian nations.

The conclusion of the Seven Years' war saw a tremendous change in the relative position of France and England in North America: the former had lost and the latter gained an empire. The final struggle for supremacy was the culmination of a series of continental and colonial wars beginning near the close of the seventeenth century and ending with the definitive treaty of 1763. During the first quarter of the century France occupied a predominant position among the powers. Through the aggressiveness of Louis XIV and his ministers her boundaries had been pushed eastward and northward, thereby seriously threatening the balance of power in Europe. Until 1748 England

and Austria had been in alliance against their traditional enemy, and in the war of the Austrian Succession France had lent her aid to Prussia in the dismemberment of the Austrian dominions—at the same time extending her own power in the interior of America and India. These international struggles, however, brought no definite results: territorial boundaries had not been adjusted nor had the balance of power been satisfactorily settled. The growth of the power of Prussia under the leadership of Frederick the Great now became a most important factor. The aggressions of France soon ran counter to the course of the new national state and another conflict was inevitable. In the interval of nominal peace after the treaty of Aix-la-Chapelle in 1748, preparations were begun for another contest. The astute diplomacy of Kaunitz won France from her traditional enmity and secured that power as an open ally for Maria Theresa in her war of revenge.[1]

While the European situation was giving occasion for new alignments of the powers, affairs in America were becoming more and more critical between France and England. Here for over a century the two powers had been rivals for territorial and commercial supremacy. In North America the pioneers of France had won for her the greater part of the continent, the extensive valleys of the St. Lawrence and the Mississippi with all the land watered by their tributaries. The French claim to this region was based almost entirely upon discovery and exploration, for in all its extent less than one hundred thousand people were permanently settled. Canada at the north and the region about New Orleans on the extreme south contained the bulk of the population, while throughout the old Northwest settlements were few and scattering. Trading posts

[1] Perkins, *France under Louis XV*, II, 1–83.

and small villages existed at Vincennes on the Wabash River, at Detroit, at St. Joseph near Lake Michigan, and at other isolated places. Outside of Detroit the most important and populous settlement was situated along the eastern bank of the Mississippi, in the southwestern part of the present State of Illinois, where about two thousand people were living.[2]

In contrast to this vast area of French territory and the sparseness of its population were the British colonies, with more than a million people confined to the narrow strip between the Alleghany mountains and the Atlantic Ocean. These provinces were becoming comparatively crowded, and many enterprising families of English, Scotch-Irish, and German extraction were pushing towards the mountains. Each year saw the pressure on the western border increased. The great unoccupied valley of the Ohio invited home-seekers and adventurers westward in spite of hostile French and Indians. By 1750 the mountain barriers were being crossed by constantly increasing numbers, and the French found their possession of the West and their monopoly of the fur trade threatened.

To prevent such encroachments the French sought to bind their possessions together by means of a line of forts extending from the St. Lawrence down the Ohio Valley to the Gulf of Mexico. It had indeed been the plan of such men as La Salle, Iberville, and Bienville to bring this territory into a compact whole and to limit the English colonies to the line of mountains. New Orleans and Mobile gave France command of the Gulf of Mexico and the Mississippi River; Louisburg, Niagara, and Frontenac

[2] Hutchins, *A Topographical Description*, ed. Hicks, 166ff; Pittman, *The Present State of the European Settlements on the Mississippi*, ed. Hodder, 84ff.

TO

MY FATHER AND MOTHER

immigrated from Canada, thus assuring the permanency of the settlement.

Meanwhile the contemporaneous colony of Louisiana had grown to some importance, and in 1717, when the Company of the West assumed control of the province, the Illinois country was annexed to Louisiana.[8] Prior to this time it had been within the jurisdiction of Quebec. The Illinois country now entered upon a period of prosperity, many new enterprises being undertaken, notably the opening of lead mines. Shortly after its annexation to Louisiana, Pierre Boisbriant was given a commission to govern the Illinois country, and among his instructions was an order to erect a fort as a protection against possible encroachments from the English and Spanish. About 1720 Fort de Chartres was completed and became thereafter the seat of government during the French régime. In 1721 the Company of the Indies[9] divided Louisiana into nine districts, one of which was known as the Illinois district,[10] extending east and west of the Mississippi River between the lines of the Arkansas and Illinois rivers.[11] In 1731 Louisiana passed out of the hands of the Company of the Indies, and, together with its Illinois dependency, became

[8] Archives of the Ministry of the Colonies (Paris), series A, vol. 22, fol. 40.

[9] In May, 1719, the Company of the East Indies and the Company of China were assimilated to the Company of the West, the name of which was changed to Company of the Indies. Margry, *Découvertes*, V, 590.

[10] Winsor, *Narr. and Crit. Hist. of Am.*, V, 43.

[11] "Regulations for the government of the district", Archives of the Ministry of the Colonies, series B, vol. 43, fol. 103; Winsor, *Narr. and Crit. Hist. of Am.*, V, 43. The boundary between Canada and Louisiana during the French régime was approximately the 40th parallel. This left the French settlement at Ouiatanon to the Quebec government while Post Vincennes on the lower Wabash River was in Louisiana. Pownall, *Administration of the Colonies*, 192.

a royal province.[12] It remained in this status until the close of the Seven Years' war, when that portion east of the Mississippi was ceded to England as a part of Canada.[13]

At the close of the French régime a number of villages scattered along the Mississippi River from near the mouth of the Kaskaskia northward seventy-five miles to Cahokia contained the population of the country. Kaskaskia at the extreme south was the largest town of the group, with eighty houses, five hundred whites, and about an equal number of negroes. Some seventeen miles north was Prairie du Rocher with a population of one hundred French and as many slaves. A short distance northwest of Prairie du Rocher, on the bank of the Mississippi, stood Fort de Chartres, surrounded by a little village called Nouvelle Chartres, where some forty families were settled. St. Philippe, five miles north of Fort de Chartres, contained twelve or fifteen families, and forty-five miles further north stood Cahokia with three hundred whites and eighty negroes.[14]

Most of the French people of Illinois came originally from Canada[15] although a few immigrated from France[16] and others were sent there from Louisiana by the Company of

[12] Winsor, *Narr. and Crit. Hist. of Am.*, V, 49.

[13] Treaty of Paris, section VII, *Can. Const. Docs.*, *1759–1791*, 86.

[14] Pittman, *State of the European Settlements on the Miss.*, ed. Hodder, 84–93. There is no detailed and satisfactory account of the French régime in print, with reference either to its political, social, or economic aspects. The works of Breese, Wallace, Brown, Mason, and others are entirely unscientific and unreliable. The recent discovery of a large number of papers bearing on the period will enable future scholars to reach more accurate conclusions. For a recent brief but judicious survey of the French, based largely on a study of documentary material, see Alvord, *Illinois Historical Collections*, II, xviii–xxv.

[15] Du Pratz, *Histoire de la Louisiane*, II, 296.

[16] *Ibid.*, I, 230–231.

the Indies.[17] There existed among them two classes, the "gentry" and the *habitant*, the latter being greatly in the majority. The *habitants* had belonged to the lower classes in Canada and possessed few of the social and intellectual attainments which marked their superiors. Occupied chiefly in the collection of furs or in the humbler duties of commerce, they came into close contact with the Indians, in whose company much of their time was spent. They not only associated with the Indians but many even married Indian girls.[18] Outside of the gains made in the peltry trade or their wages as boatmen their lives were not productive, and their scanty earnings were spent immediately upon returning to the villages. They cared nothing for agriculture and other settled pursuits, exhibiting in all their activities a total lack of initiative and of capacity to adapt themselves to settled life.[19] But the faults of the *habitants*, conspicuous though they were, differed much from those of the American frontiersmen. The frontiersmen had no respect for law and authority, while the *habitants* in general preferred to be guided by law in all their dealings.[20] Petty quarrels were frequent, but instead of ending them in a fight, recourse was invariably had to the courts. In their business transactions the assistance of judge or notary was always sought.[20]

On the other hand the "gentry", comprising the larger merchants and farmers, came from the better classes in Canada and France. They surrounded themselves with all the luxuries that could be brought from Canada or Europe. Some were able to claim nobility of birth,[21] and many were

[17] Bossu, *Travels*, 126.

[18] *Ibid.*; Du Pratz, *Histoire de la Louisiane*, II, 297.

[19] Volney, *View of the United States*, 338ff.

[20] Alvord, *Ill. Hist. Colls.*, II, xviii.

[21] *Ibia.*, xix; see also Du Pratz, *Histoire ae la Louisiane*, II, 297.

wealthy and influential. Some of the latter possessed capital before immigrating to Illinois, and others rose to prominence by industry and shrewdness. Among the more prominent were Jean Baptiste Barbau of Prairie du Rocher, the Bauvais, Charleville, Viviat, Lachance, and Cerré families of Kaskaskia, and the Sauciers, François Trottier, and J. B. H. La Croix of Cahokia.[22]

The government of the French was neither military nor paternal. Although the military commandant represented the king of France, he did not have all power, nor were the people subjected entirely to the will of the priest.[23] After 1717 the Illinois district was subordinate to the government of Louisiana. The civil government of the district was composed of a commandant, a commissary, a judge, a principal scrivener of the marine, a king's attorney, a keeper of the royal warehouse, a clerk of the court, deputy clerks, syndics, and notaries.[24] As a rule a number of offices were united: the positions of commissary, judge, and scrivener were held by the same person; and the duties of attorney and keeper of the royal warehouse were likewise combined. In addition to the officers already mentioned, each village had its captain of militia,[25] an important local executive officer appointed by the colonial authorities. His specific duties were to prepare the muster-roll of the parish and to enforce the decrees of the intendant of the council.[26] The syndic and the parish priest also had very

[22] Alvord, *Ill. Hist. Colls.*, II, xix–xx.

[23] Both views have hitherto been common to historians of the period. Pittman is largely responsible for the view that the people were subject to the caprice of the military commandant. Other writers have stated that the French were living in a kind of Arcadian simplicity, with no lawyers or litigation. An examination of the documentary material of the time indicates that both views are erroneous.

[24] Alvord, *Ill. in the Eighteenth Cent.*, 8

[25] Breese, *Early Hist. of Ill.*, 216.

[26] Munro, *The Seigniorial System in Canada*, 43, 73.

important local duties, especially with reference to the execution of the edicts of the village assemblies and the laws of the commons.[27] The French had in fact brought with them the organization of the village community and the system of land tenure which they had known in France. Each village had its common field divided into long narrow strips which the inhabitants cultivated, and the common, or pasture land, belonging to the whole community. The village assembly, meeting generally in the church-yard after mass, fixed the day for planting and harvesting, and all other matters relating to the common interest. If the business to be transacted related to the church, the presiding officer was the priest; otherwise the syndic presided at the meeting and saw to the execution of the decisions of the assembly.[28] The military commandant of the Illinois country was responsible to the governor of Louisiana, while civil officials were under the direction of the intendant.

All the land holdings of the French did not originate in the same way. The land acquired from the Indians was considered as belonging to the king's domain, which was disposed of in two ways.[29] At Kaskaskia and Nouvelle Chartres the king retained control of the land and granted it directly to the *habitants*[30] in *censive* holdings, but at Cahokia, St. Philippe, and Prairie du Rocher, large tracts were granted to individuals as seigniories, the title being similar to that of the benefice. The owners of these seigniories granted out smaller tracts to the *habitants* as

[27] Babeau, *Le village sous l'ancien régime*, *passim*, and Babeau, *Les assemblées générales des communautés d'habitants*, *passim*.

[28] Babeau, *Le village sous l'ancien régime*, ch. III.

[29] Alvord, *Ill. Hist. Colls.*, II, xxii, n. 2; Franz, *Die Kolonization des Mississippitales*, 201; Breese, *Early Hist. of Ill.*, app. E; Viollet, *Histoire du droit français*, 746ff.

[30] *Habitants* is here used in the broader sense of inhabitants.

manorial holdings which paid to the seignior an annual rent of a *sou* an acre. Cahokia and its lands belonged to the Seminary of Foreign Missions at Quebec, St. Philippe to the Regnaults, and Prairie du Rocher to Boisbriant, and later to Langlois.

The church is an institution which cannot be overlooked in any survey of the Illinois French. The people were so devoted to their religion that the church buildings were generally the most imposing edifices in the village. The parish priests at all times exercised the greatest influence over the lives of the people. No matter how debauched and lawless the *voyageur* became, the priest invariably recalled him to a sense of his dependence upon the church.

There were a number of parishes in the district: the parish of the Immaculate Conception at Kaskaskia, that of St. Anne at Nouvelle Chartres with its dependent chapels of St. Joseph at Prairie du Rocher and the Visitation at St. Philippe, and the parish of the Holy Family at Cahokia. The Jesuits governed the parish at Kaskaskia, where they owned a large plantation, a brewery, and some eighty slaves,[31] and the Recollect and the Sulpitian fathers ministered to the other villages. These parishes, together with those of the rest of Louisiana, were in the diocese of the bishop of Quebec.[32]

The relation of the Illinois country to Louisiana was economic as well as political. All of the trade of the upper Mississippi valley was carried on through New Orleans, and the southern colony often owed its existence to the large supplies of flour and pork sent down the river.[33] Although

[31] Pittman, *State of the European Settlements on the Miss.*, ed. Hodder, 85.

[32] Shea, *Life of Archbishop Carroll, passim.*

[33] Winsor, *Narr. and Crit. Hist. of Am.*, V, 53; Pittman, *European Settlements on the Miss.*, ed. Hodder, 95.

the inhabitants occupied themselves chiefly with hunting and with trading with the Indians, they yet raised a considerable amount of corn, wheat, and various kinds of fruit, which, together with cattle and hogs they frequently shipped to the New Orleans market.[34]

[34] Pittman, *op. cit.*, 93-95.

CHAPTER II.

Status of the Illinois Country in the Empire.

Before entering upon the more detailed study of events in the Illinois country during the British régime, it seems necessary to examine certain general aspects of the subject in order to understand more clearly the significance of the period. The relation of that country to the empire, and the views held by contemporary British statesmen concerning its status are problems which naturally arise and demand solution. What was the nature of the government imposed upon the French in the Illinois country after the final occupation of the West? Is the prevailing opinion that the British government placed the inhabitants of those villages under a military government any longer tenable? Was the government *de jure* or *de facto*?

The treatment received by the settlements in the Northwest and West in general was fundamentally different in nature from that accorded other portions of the new empire. The treaty of Paris was signed in February, 1763, and the British ministry spent considerable time during the months immediately following in the formulation of a policy to be pursued towards the vast territories acquired in North America. In the summer of 1763 it became apparent that this policy must be determined upon immediately in order to pacify the minds of the savage inhabitants of the West who were rising in rebellion against the English. In

October, therefore, a royal proclamation[1] was issued, by the terms of which civil governments were created for the provinces of Quebec, East Florida, West Florida, and Grenada, and all the western territory outside the prescribed limits of these colonies, including a large portion of southern Canada of today, was reserved as a vast hunting ground for the Indian nations. No mention of the settled portions of the West, however, is made in the proclamation. It is therefore necessary to examine the official correspondence which immediately preceded the issuance of the proclamation, to find, if possible, what the directors of the British colonial policy had in mind.

When the proclamation was under discussion by the ministry in the summer of 1763, two opposing views with reference to the West were for a time apparent. It appears to have been the policy of Lord Egremont, at that time secretary of state for the southern department, which included the management of the colonies, to place the unorganized territory within the jurisdiction of some one of the colonies possessing a settled government, preferably Canada.[2] It was at least his aim to give to the Indian country sufficient civil supervision so that criminals and fugitives from justice from the colonies might be retaken. That he did not intend to extend civil government to the villages of Illinois or to any of the French inhabitants of the West seems clear, for his only reference is to the "Indian country" and to "criminals" and "fugitives from justice".

[1] The text of the proclamation may be conveniently found in the *Annual Register*, IV, 208, and in *Can. Const. Docs., 1759–1791*, 119–123. For a discussion of the history of the proclamation and the origin of the various clauses, see Alvord, "Genesis of the Proclamation of 1763", in *Mich. Pioneer and Hist. Colls.*, XXXVI.

[2] Egremont to the Lords of Trade, July 14, 1763, *Can. Const. Docs., 1759–1791*, 108.

Lord Shelburne, president of the Board of Trade and a member of the Grenville ministry, and his colleagues were of the opinion that the annexation of the West to Canada might lend color to the idea that England's title to the West came from the French cession, when in fact her claim was derived from other sources; that the inhabitants of the province to which it might be annexed would have too great an advantage in the Indian trade; and finally that such an immense province could not be properly governed without a large number of troops and the governor would thus virtually become a commander-in-chief.[3] Shelburne then announced his plan of giving to the commanding general of the British army in America jurisdiction over the West for the purpose of protecting the Indians and the fur trade.[4] Lord Halifax, who succeeded Egremont at the latter's death in August, 1763, acceded to Shelburne's views. The proposed commission to the commanding general, however, does not appear to have been issued; for Hillsborough, who succeeded Shelburne as president of the Board of Trade in the autumn of 1763, favored a different policy. But there is nothing to indicate that Shelburne and his advisers had any thought of a government for the French colonies. No hint appears in the correspondence that the ministry had any idea of the existence of the several thousand French inhabitants of the West.[5]

[3] Representation of the Lords of Trade to the King, August 5, 1763, *Can. Const. Docs.*, *1759–1791*, 110–111.

[4] "We would humbly propose, that a Commission under the Great Seal, for the Government of this Country, should be given to the Commander in Chief of Your Majesty's Troops for the time being adapted to the Protection of the Indians and the fur Trade of Your Majesty's subjects." *Ibid.*, 111.

[5] They could not have been ignorant of the existence of such colonies in the ceded territory, for Sir William Johnson, who was familiar with western conditions, was in constant correspondence with the ministry, and such works as the *Histoire de la Louisiane* by Du Pratz, published in 1758, were doubtless familiar to English statesmen.

There remain one or two documents in which we might expect to find some reference to the government of the French settlers. The authors of that part of the proclamation of 1763 which provided for the reservation of the Indian lands and the regulation of the trade,[6] had in contemplation an elaborate plan comprehending the management of both in the whole of British North America.[7] It was left to Hillsborough, Shelburne's successor as president of the Board of Trade, to direct the formulation of the plan, which was finished in 1764. As the details of this program will be taken up in a later chapter,[8] it will suffice here simply to note the presence or absence of any provision for the French. The chief object of the plan was to bring about centralization in the regulation of the trade and the management of the Indians. In one article provision also was made for a certain kind of civil supervision. For the maintenance of peace and order within the reserved territory, the general superintendents and the commissaries at each post were empowered to act as justices of the peace, with all the powers belonging to such officers in the English colonies. They were to have "full power of Committing Offenders in Capital Cases, in order that such Offenders may be prosecuted for the same; And that, for deciding all civil actions, the Commissaries be empowered to try and determine in a Summary way all such Actions, as well between the Indians and Traders, as between one Trader and another, to the Amount of Ten Pounds Sterling, with the Liberty of Appeal to the Chief Agent or Superintendent, or his Deputy, who shall be empowered

[6] See below, ch. V.

[7] Dartmouth to Cramahé, December 1, 1773, *Can. Const. Docs., 1759–1791*, 339.

[8] See below, ch. V.

upon such appeal to give Judgement thereon; which Judgement shall be final, and process issue upon it, in like manner as on the Judgement of any Court of Common Pleas established in any of the Colonies."[9] It is curious that no provision of this article applies in any way to the government of the French residing at the various posts.

Turning to another source, we find a document addressed directly to the inhabitants of the Illinois country, dated in New York, December 30, 1764 and signed by General Thomas Gage,[10] which was not announced in Illinois until the entry of Captain Sterling in October of the following year. This proclamation related solely to guarantees by the British government of the right of the inhabitants under the treaty of Paris: freedom of religion, the liberty of removing from or remaining within English territory, and regulations concerning the oath of allegiance make up its contents. Whether the inhabitants were to enjoy a civil government or be ruled by the army there is no intimation.

In contrast with the barren papers of 1763–1765 the documentary material after those dates proves so much more productive, that we are enabled to arrive at some pretty definite conclusions. Fortunately there were a few men in authority during that period who had considerable interest in the interior settlements, and who, from their official positions, realized the difficulties of the problem. General Thomas Gage, Sir William Johnson, and Lord Hillsborough are perhaps the most representative examples. Gage, who was commander-in-chief of the British army in America throughout the period under consideration, with headquarters in New York City, was in direct

[9] *Can. Arch. Report*, 1904, 244.

[10] *American State Papers, Public Lanas*, II, 209; Dillon, *Hist. of Indiana*, I, 93–94; see below, ch. IV.

communication both with his subordinates in Illinois and with the home authorities and was in a position to know the general state of affairs in the West as well as to keep in touch with ministerial opinion. Sir William Johnson, by virtue of his office as superintendent of Indian affairs for the northern district, was in a peculiarly strategic position for acquiring information. His Indian agents were stationed at all the western posts and he was in constant correspondence with the Board of Trade relative to the Indian and trade conditions. In the ministry itself the correspondence of Lord Hillsborough perhaps best reflects the prevailing opinion of the government. He was one of the few ministerial authorities who took any considerable interest in the western problem and information coming from him must therefore have weight.

That the British commandant of the fort in the Illinois country had no commission to govern the inhabitants, except that power which naturally devolves upon the military officer in the absence of all other authority,[11] appears amply clear from a recommendation transmitted by General Gage to his superior, Secretary Conway, shortly after the occupation of Fort de Chartres: "If I may presume to give my opinion further on this matter, I would humbly propose that a Military Governor should be appointed for the Illinois [*sic*] as soon as possible. The distance of that country from any of the Provinces being about 1400 Miles, makes its Dependance upon any one of them im-

[11] "The Secretary of State having signified to me that as my Commission under the Great Seal as Commander-in-Chief of all His Majesty's Forces in North America includes Florida and the Country ceded by Spain, on this Continent, and likewise the Country ceded by France on the left side of the Mississippi; It is the King's Pleasure I should give the necessary Orders to the Officers commanding the Troops, etc." Amherst to Lieutenant-Colonel Robertson, August 24, 1763, P. R. O., B. T. Papers, no. 19, fol. 49.

practicable, and from its Vicinity to the French Settlements, no other than a Military Government would answer our purpose."[12] In the following year he took a similar view in a communication to Sir William Johnson, his co-laborer in America: "I am quite sensible of the irregular behavior of the Traders and have intimated to his Majesty's Secretary of State what I told the Board of Trade four or five years ago: That they must be restrained by Law, and a Judicial Power invested in the Officer Commanding at the Posts to see such Law put in force. And without this, Regulations may be made, but they will never be observed."[13]

During this period the authorities seemed unable to combat successfully the condition of comparative anarchy in the Illinois country and indeed in all the western posts and throughout the Indian country. Had all the regulations outlined in 1764 in the plan for the management of Indian affairs[14] been put into operation, the Indian department would have been able to cope more successfully with that phase of the situation. But neither military nor Indian departments had legal authority to administer justice in the West.[15] In 1767, speaking of his inability to handle the

[12] Gage to Conway, March 28, 1766, B. T. Papers (Hist. Soc. Pa.), vol. XX.

[13] Gage to Johnson, January 25, 1767, Johnson MSS. (N. Y. State Library), vol. XIV, no. 28.

[14] See below, ch. V.

[15] In the Mutiny Act, passed in 1765, a clause was inserted regulating criminal procedure in the Indian country, whereby persons accused of crimes were directed to be conveyed to the civil magistrate of the next adjoining province, where they should be tried. "An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters." 5 Geo. III, cap. XXXIII. This was evidently too slow a process. I have found but one case in the history of the Illinois colony where the clause was executed. October 7, 1769, Gage wrote to Hillsborough: "Two persons are confined in Fort Chartres for murther, and the Colonel [Wilkins] proposes to send them to Philadelphia, about fifteen hundred miles, to take their Tryall." P. R. O., Am. and W. I., vol. 125.

situation for lack of sufficient powers, Johnson declared that "The authority of Commissaries is nothing, and both the Commanding Officers of Garrisons and they, are liable to a civil prosecution for detaining a Trader on any pretence."[16] Writing of the disturbances which occurred in Illinois a few years later, the commanding general observed still more emphatically: "And I perceive there has been wanting judicial powers to try and determine. There has been no way to bring Controversys and Disputes properly to a determination or delinquents to punishment."[17]

There is probably some justification for the current belief that the government placed the inhabitants under a military rule, inasmuch as the actual government proved in the last analysis to be military. That the British ministry consciously attached the interior settlements to the military department is, however, far from the truth. Such a system of government was probably contemplated by no one between the years 1763 and 1765 when the reorganization of the new acquisitions was under consideration. A large part of the new territory was believed to be within the fur-bearing region and the desire for the development of the fur trade controlled in the main the policy of the ministry relative to the disposition of the "peltry" districts. The interests of the settlements were therefore completely ignored.

Secretary Hillsborough, who helped formulate the western

[16] "Review of the Trade and Affairs of the Indians in the Northern District of America", *N. Y. Col. Docs.*, VII, 964.

[17] Gage to Hillsborough, August 6, 1771, P. R. O., Am. and W. I., vol. 128. See also Gage to Hillsborough, October 7, 1769, *ibid.*, vol. 125. Lieutenant George Phyn, who went with a detachment of troops from Fort Pitt down the Ohio and Mississippi rivers to Mobile in 1768, making a visit of several weeks at Fort de Chartres, wrote to Sir William Johnson: "There is no settled administration of Justice, but the whole depends upon the mere will and fancy of the Officer commanding the Troops." April 15, 1768, Johnson MSS., vol. XXV, no. 109.

policy in 1763 and 1764, doubtless gave the most adequate explanation when, in 1769, he wrote: "With regard to the Posts in the interior Country considered in another view in which several of your letters have placed them; I mean as to the Settlements formed under their protection, which, not being included within the jurisdiction of any other Colony are exposed to many Difficulties and Disadvantages from the Want of some Form of Government necessary to Civil Society, it is very evident that, if the case of these Settlements had been well known or understood at the time of forming the conquered Lands into Colonies, some provision would have been made for them, and they would have been erected into distinct Governments or made dependent upon those other Colonies of which they were either the offspring, or with which they did by circumstances and situation, stand connected. I shall not fail, therefore, to give this matter the fullest consideration when the Business of the Illinois Country is taken up."[18]

Hillsborough's declaration that no provision for the government of the settlements had ever been made is borne out by other testimony. A writer in the *Annual Register* for 1763,[19] after describing the boundaries of the various governments provided for by the royal proclamation, commented as follows: "The reader will observe and possibly with some surprise, that in this distribution, much the largest, and perhaps, the most valuable part of our conquests, does

[18] Hillsborough to Gage, December 9, 1769, P. R. O., Am. and W. I., vol. 124. "If the people are left to shift for themselves entirely without any arrangements made for them, its possible they would no longer consider themselves subjects, join openly with enemy Indians, and British traders going to the Ilinois might be refused admittance and drove out of the Country." Gage to Hillsborough, March 4, 1772, Sparks MSS. (Harvard College Library), XLIII, vol. 3, pp. 164–165.

[19] *Annual Register*, VI, 20.

not fall into any of the governments; that the environs of the great lakes, the fine countries on the whole course of the Ohio and Wabashe, and almost all that tract of Louisiana, which lies on the hither branch of the Mississippi, are none of them comprehended in this distribution . . . "

In 1774 during the course of the debate in the House of Lords on the Quebec Act, which provided for the form of government and the extension of the boundaries of that colony to the Ohio and Mississippi rivers, Lord North observed that " It takes in no countries regularly planted by British settlers, but merely distant military posts, at present without any government but that of the respective commanding officers. Now, the question here is merely this, Will you annex them under the present government? Will you leave them without any government? or will you form Separate governments and colonies of them? "[20] Finally the existence of such a large area of territory without a government was recognized in the preamble of the Quebec Act as ultimately passed: " And whereas, by the Arrangements made by the said Royal Proclamation, a very large Extent of Country, within which there were several Colonies and Settlements of the Subjects of *France*, who claimed to remain therein under the Faith of the said Treaty, was left without any Provision being made for the Administration of Civil Government therein."[21]

[20] *Parl. Hist.*, XVII, 1358. William Knox, the under secretary for the colonies, in a contemporaneous pamphlet makes the following assertion: "As these settlers had been put entirely under the direction of the commanding Officers of the forts [during the French rule], when the *French* garrisons were withdrawn, and military orders ceased to be law, they were altogether without law or government; . . . They had been accustomed to obey French military orders, and the English officers, . . . of their own authority exercised the same command over them." *Justice and Policy of the Quebec Act*, 39.

[21] *Can. Const. Docs., 1759–1791*, 401. In a paper entitled " Proposed Extension of Provincial Limits ", one of the reasons given for the

English troops took formal possession of Fort de Chartres, the military post in the Illinois country, in 1765. It was not intended, however, that the army should continue there indefinitely.[22] Nevertheless as time went on the necessity became evident of being constantly prepared to crush a possible uprising of the savages and to repel the constant invasion of the French and Spanish traders from beyond the Mississippi, whose influence over the Indians, it was feared, would be detrimental to the peace of the empire. In its policy of retrenchment owing to the trouble with the colonies, the government at various times contemplated the withdrawal of the troops,[23] but each time the detachment was allowed to remain; the sole reason given was to guard that portion of the empire against the French and Indians.[24]

Attention has now been called to the entire absence of regulations for the government of the western settlements in any of the official documents relating to that territory prior to 1774. The proclamation of 1763, which had definitely extended the laws of England to the new provinces of Quebec and the Floridas, made no similar provision for the West. This statement also holds for other state papers such

extension of the Quebec boundary was to "extend the benefits of Civil Government to the Settlements of Canadian Subjects that have been formed in the different parts of" the interior country, *ibid.*, 381. In the first two draughts of the Quebec Act no reference is made to the western settlements, *ibid.*, 376–380.

[22] Hillsborough to Gage, February 17, 1770, P. R. O., Am. and W. I., vol. 125.

[23] "The situation and peculiar circumstances of the Ilinois Country, and the use, if that Country is maintained, of guarding the Ohio and Ilinois Rivers at or near their junctions with the Mississippi has been set forth to your Lordship in my letter of the 22d of Feb. last. It is upon that plan the Regiment is posted in the Disposition in the Ilinois Country." Gage to Shelburne, April 3, 1767, *ibid.*, vol. 123.

[24] See for example, Hillsborough to Gage, February 17, 1770, *ibid.*, vol. 125; Gage to Shelburne, April 3, 1767, *ibid.*, vol. 123.

as the plan of 1764 for the management of Indian affairs and General Gage's proclamation to the inhabitants of Illinois in 1765. Nor in any of the correspondence relating to the various documents has any reference to the government of the French been discovered. On the other hand after 1765 we have the positive statements of such officials as Sir William Johnson, General Gage, Lord Hillsborough, and Lord North to the effect that the settlements in question had been left entirely without any arrangement for their government. Similar assertions in the Quebec Act and in contemporary works, books, and pamphlets contribute additional testimony.

In the course of this inquiry relative to the legal status of Illinois and the West no mention has been made of the extension or non-extension of English law and custom to the West after the cession. This is one of the more important general aspects of the western problem and merits attention inasmuch as it may throw further light on the legal position of the settlements. During the seventeenth and eighteenth centuries, the great era of English colonization, the necessity of fixing definitely the legal status of the colonies called forth a series of judicial opinions and legal commentaries. It is to these that we have to look to determine the theory held regarding the application of English law to the colonies and particularly to conquered provinces. In general it may be said that Blackstone represents the usual view taken by jurists during these two centuries. In his *Commentaries* published in 1765 he declared that "In conquered or ceded countries, that have already laws of their own, the king may indeed alter and change those laws, but until he actually does change them, the ancient laws of the country remain."[25] This opinion is supported by the

[25] Blackstone, *Commentaries* (3d ed., Cooley), Intro., sec. 4, 107.

authority of Lord Mansfield in his decision in the case of Campbell *v.* Hall,[26] rendered in 1774, which involved the status of the island of Grenada, a conquered province. He laid down in this decision the general principle that the "laws of a conquered country continue in force until they are altered by the conquerer. The justice and antiquity of this maxim are incontrovertible . . ."[27]

As has already been suggested the proclamation of 1763 failed to extend English law to the West, nor did the crown ever take such action. We may therefore lay down the general principle that although with the change of sovereignty the public law of England was substituted for that of France, the private law of the province remained unchanged. The British government then was obliged to govern its new subjects in this region according to the laws and customs hitherto prevailing among them; any other course would manifestly be illegal. The commanding general of the army in America and his subordinates, who were embarrassed by the presence of this French settlement for which no provision had been made by the ministry, and who found it necessary to assume the obligation of enforcing some sort of order in that country, had no power to displace any of the laws and customs of the French inhabitants. It will be pointed out in succeeding chapters that this general principle, although adhered to in many respects, was not uniformly carried out.

[26] Text of decision in *Can. Const. Docs., 1759–1791*, 366–372.

[27] Other important leading cases, such as Calvin's case, involving the status of Jamaica, are of the same effect. See also Sioussat, *English Statutes in Maryland* (J. H. U. Studies, XXI), 481–487, and especially Walton, *The Scope and Interpretation of the Civil Code of Lower Canada*, 6–7, 26–27. The same opinion is expressed by Attorney-General Thurlow in a speech in Parliament in 1774 on the subject of the Quebec Act. This speech is found in Egerton and Grant, *Canadian Const. Development*, 33–41.

It is apparent from the foregoing considerations that the government of the Illinois people was *de facto* in its nature. It had no legal foundations. Every act of the military department was based on expediency. Although in general this course was accepted by the home authorities, all officials concerned were aware that such a status could not continue indefinitely. Nevertheless it did continue for about a decade, during which time the inhabitants were at the mercy of some six or seven different military commandants. In 1774, however, Parliament passed the Quebec Act, which provided, among other things, for the union of all the western country north of the Ohio River, which but for the cataclysm of the American Revolution would have secured civil government for the whole region.

CHAPTER III.

Occupation of the Illinois Country

By the treaty of Paris the title to the Illinois region passed to Great Britain, but Fort de Chartres was not immediately occupied. Detachments of British troops had taken possession of practically every other post in the newly ceded territory as early as 1760. The occupation of the forest posts of Green Bay, Mackinac, St. Joseph, Ouiatanon, Detroit, Fort Miami, Sandusky, Niagara, and others seemed to indicate almost complete British dominion in the West. The transfer of the Illinois posts, however, remained to be effected, and although in the summer of 1763 orders were forwarded from France to the officers commanding in the ceded territory to evacuate as soon as the English forces appeared,[1] almost three years elapsed before the occupation was accomplished; for soon after the announcement of the treaty of cession, the chain of Indian tribes stretching from the fringe of the eastern settlements to the Mississippi River rose in rebellion.[2] This unexpected movement had to be reckoned with before any thought of the occupation of the Illinois country could be seriously entertained.

Of the two great northern Indian families, the Iroquois had generally espoused the English cause during the recent

[1] Parkman, *Conspiracy of Pontiac*, II, 272–273.

[2] For the Indian rebellion the best secondary accounts are: Parkman, *Conspiracy of Pontiac*; Kingsford, *Hist. of Can.*, V, 1–112; Poole, "The West", in Winsor, *Narr. and Crit. Hist. of Am.*, VI, 684–700; Winsor, *Miss. Basin*, 432–446; Bancroft, *Hist. of U. S.* (ed. of 1852, containing references), IV, 110–133.

war, while the Algonquin nations, living in Canada and the lake and Ohio regions, had supported the French. At the close of the war the greater portion of the French had sworn fealty to the English crown, although the allegiance of their allies, the Algonquins, was at best only temporary. It was thought that, since the power of France had been crushed, there would be no further motive for the Indian tribes to continue hostilities. From 1761, however, there had been a growing feeling of discontent among the western Indians. So long as France and Great Britain were able to hold each other in check in America the Indian nations formed a balance of power, so to speak, between them. England and France vied with each other to conciliate the savages and to win their good-will. As soon, however, as English dominion was assured, this attitude was somewhat changed. The fur trade under the French had been well regulated, but its condition under the English from 1760 to 1763 was deplorable.[3] The English traders were rash and unprincipled men[4] who did not scruple to cheat and insult their Indian clients at every opportunity. The more intelligent of the western and northern Indians perceived that their hunting grounds would soon be overrun by white settlers with a fixed purpose of permanent settlement.[5] This was probably the chief cause of the Indian uprising. There remained in the forests many French and renegade traders and hunters who constantly concocted

[3] Parkman, *Conspiracy of Pontiac*, I, 182; Pownall, *Admin. of the Cols.*, I, 187–188. Although Pownall discusses the situation somewhat earlier, he appears to hold the same view which Johnson and other contemporaries express later.

[4] Johnson to Lords of Trade, *N. Y. Col. Docs.*, VII, 929, 955, 960, 964, 987; Pownall, *Admin. of the Cols.*, I, 188; Kingsford, *Hist. of Can.*, V, 121ff.

[5] Johnson to Amherst, July 11, 1763, *N. Y. Col. Docs.*, VII, 532; Pownall, *Admin. of the Cols.*, I, 187–190.

insidious reports as to English designs and filled the savage minds with hope of succor from the king of France. Many of the French inhabitants had since 1760 emigrated beyond the Mississippi, because, as the Indians thought, they feared to live under English rule.[7] This doubtless contributed something towards the rising discontent of the savages. Finally the policy of economy in expenses, which General Amherst inaugurated, cut off a large part of the Indian presents, always so indispensable in dealing with that race, and augured poorly for the future welfare of the Indians.

The mass of the Indians rose chiefly from resentment, but Pontiac, the great chief of the Ottawas, acted from a deeper motive. He determined to rehabilitate French power in the West and to reunite all the Indian nations into one great confederacy in order to ward off approaching dangers. During the years 1761–1762 he developed the plot and in 1762 he despatched his emissaries to all the Indian nations. The ramifications of the conspiracy extended to all the Algonquin tribes, to some of the nations on the lower Mississippi, and even to a portion of the Six Nations. The original aim of the plot was the destruction of the garrisons on the frontier, after which the settlements were to be attacked. The assault on the outposts, beginning in May, 1763, was sudden and overwhelming; Detroit, Fort Pitt, and Niagara alone held out, the remainder of the posts falling without an attempt at defense. Had the proclamation of 1763, which aimed at the pacification of the Indians by reserving to them the western lands, been

[6] Johnson to Amherst, July 11, 1763, *N. Y. Col. Docs.*, VII, 532; Pownall, *Admin. of the Cols.*, I, 187–190.

[7] Parkman, *Conspiracy of Pontiac*, I, 181, quoting from a letter of Sir William Johnson to Governor Colden, December 24, 1763; Winsor, *Miss. Basin*, 433.

issued earlier in the year, this devastating war might have been avoided. Peaceful pacification was now, however, out of the question. During the summers of 1763 and 1764 Colonel Bouquet raised the siege of Fort Pitt, penetrated the enemy's country in the upper Ohio Valley, and completely subdued the Shawnee and Delaware tribes upon whom Pontiac had depended. Previous to Bouquet's second campaign, Colonel Bradstreet had advanced with a detachment along the southern shore of Lake Erie, penetrating as far west as Detroit, whence companies were sent to occupy the posts in the upper lake region. In the campaign as a whole the Bouquet expedition was the most effective. After the ratification of a series of treaties, in which the Indians promised allegiance to the English crown, the eastern portion of the rebellion was broken.

It now remained to reach the Illinois country in order to relieve the French garrison at Fort de Chartres. Pontiac had retired thither in 1764, after his unsuccessful attempt upon Detroit. There he had hoped to rally the western tribes and sue for the support of the French. But as we shall see, his schemes received a powerful blow by the refusal of the commandants to countenance his plans.

To what extent Pontiac was assisted by French intriguers in the development of his plans may never be positively known. As has already been pointed out, French traders were constantly among the Indians, filling their minds with hopes and fears. That the plot included French officials may be doubted, although Sir William Johnson and General Gage seemed convinced that such was the case.[8] Their

[8] Johnson to Lords of Trade, July 1, 1763, *N. Y. Col. Docs.*, VII, 525; Johnson to Amherst, July 8, 1763, *ibid.*, 531; Johnson to Lords of Trade, December 26, 1764, *ibid.*, 688-689; Gage to Bouquet, June 5, 1764, Can. Arch. (Ottawa), series A, vol. 8, p. 409; Gage to Bouquet, October 21, 1764, *ibid.*, p. 479; Johnson to Governor Colden, January 22, 1765, Johnson MSS., vol. X, no. 99.

belief, however, was based almost wholly upon reports from Indian runners, whose credibility as witnesses may well be questioned. A perusal of the correspondence of the French officials[9] residing in Illinois and Louisiana, and of their official communications with the Indians during this period goes far to clear them of complicity in the affair.[10]

General Gage, who succeeded Amherst as commander-in-chief of the British army in America in November, 1763, was convinced that the early occupation of the western posts was essential,[11] since it would in a measure cut off communication between the French and the Indian nations dwelling in that vicinity. The Indians, finding themselves thus inclosed, would be more easily pacified. The participation in the rebellion of the Shawnee and Delaware tribes of the upper Ohio River region precluded for a time, however, the possibility of reaching the Mississippi posts by way of Fort Pitt without a much larger force than Gage had at his command in the East, and the colonies were already avoiding the call for additional troops.[12] The only other available route was by way of New Orleans and the Mississippi River, whose navigation had been declared open to

[9] *Can. Arch. Report*, 1905, I, 470; Neyon to Kerlerec, December 1, 1763, Bancroft Coll. (Lenox Library); extracts from letters of d'Abbadie, January, 1764, *Can. Arch. Report*, 1905, I, 471; d'Abbadie to the French minister, 1764, *ibid.*, 472.

[10] This is the view taken by Parkman, *Conspiracy of Pontiac*, II, 279, and by Bancroft, *Hist. of U. S.*, V, 133, 136. But Kingsford, *Hist. of Can.*, V, 25, takes an opposite view. He says that the "high character claimed for Pontiac cannot be established . . . He can be looked upon in no higher light, than the instrument of the French officials and Traders." On page 6 he declares that "there is no evidence to establish him as the central figure organizing this hostile feeling."

[11] Gage to Halifax, July 13, 1764, Bancroft Coll., Eng. and Am., 1764–1765; Winsor, *Miss. Basin*, 444, 456; Winsor, *Narr. and Crit. Hist. of Am.*, VI, 702.

[12] Beer, *British Colonial Policy*, 263; Kingsford, *Hist. of Can.*, V, 68.

the French and English alike by the treaty of Paris. Little opposition might be expected from the southern Indians toward whom a liberal policy had been pursued. Presents to the value of four or five thousand pounds had been sent to Charleston in 1763 for distribution among the southern nations which counteracted in a large measure the machinations of the French traders from New Orleans.[13] The Florida posts, Mobile and Pensacola, were already occupied by English troops, and Gage and his associates believed that with the cooperation of the French governor of Louisiana a successful ascent could be made.[14]

Accordingly in January, 1764, Major Arthur Loftus, with a detachment of three hundred and fifty-one men from the Twenty-second Regiment embarked at Mobile for New Orleans, where preparations were to be made for the voyage.[15] A company of sixty men from this regiment were to be left at Fort Massac on the Ohio River, and the remainder were to occupy Kaskaskia and Fort de Chartres.[16] At New Orleans boats had to be built, supplies and provisions procured, and guides and interpreters provided.[17] The expedition set out from New Orleans February 27. Three weeks later the flotilla was attacked by a band of Tonica Indians near Davion's Bluff, or Fort Adams,[18] about two hun-

[13] Winsor, *Miss. Basin*, 433; Ogg, *Opening of the Miss.*, 301.

[14] Bouquet to Amherst, December 1, 1763, Can. Arch., series A, vol. 4, p. 443; Gage to Bouquet, December 22, 1763, *ibid.*, vol. 8, p. 341. Early in February, 1764, Captain George Johnston arrived at Pensacola with a detachment of troops. On February 24th he despatched Loftus to take possession of Fort de Chartres, Albach, *Annals of the West*, 88.

[15] Lieutenant-Colonel Robertson to Gage, March 8, 1764, Bancroft Coll., Eng. and Am., 1764–1765; de Villiers du Terrage, *Les dernières Années de la Louisiane française*, 180.

[16] Robertson to Gage, March 8, 1764, Bancroft Coll., Eng. and Am., 1764–1765. [17] *Ibid.*

[18] Loftus to Gage, April 9, 1764, *ibid.*; Gage to Halifax, May 21, 1764, *ibid.*; Parkman, *Conspiracy of Pontiac*, II, 283, 285; Kings-

dred and forty miles above New Orleans. After the loss of several men in the boats composing the vanguard Loftus ordered a retreat and the expedition was abandoned. Depleted by sickness, death, and desertion the regiment made its way from New Orleans back to Mobile.[19]

Major Loftus placed the blame for the failure of his expedition upon Governor d'Abbadie and other French officials at New Orleans.[20] There is probably sufficient evidence, however, to warrant the conclusion that his accusations against the governor were without foundation. The correspondence of d'Abbadie, Gage, and others indicates that official aid was given the English in making their preparations for the journey,[21] and letters were issued to the commandants of the French posts on the Mississippi to render the English convoys all the assistance in their power.[22]

ford, *Hist. of Can.*, V, 69–74; Winsor, *Narr. and Crit. Hist. of Am.*, VI, 701, 702; Gayarré, *Louisiana*, II, 102–103. See map, "Course of the Mississippi River", by Lieutenant Ross, London, 1772, showing where Loftus' force was driven back. A section of this map is reproduced in Winsor, *Miss. Basin*, 450.

[19] Loftus to Gage, April 9, 1764, Bancroft Coll., Eng. and Am., 1764–1765; de Villiers du Terrage, *Les dernières Années de la Louisiane française*, 182–184; Claiborne, *Hist. of Miss.*, I, 104–105.

[20] Loftus to Gage, April 9, 1764, Bancroft Coll., Eng. and Am., 1764–1765.

[21] Robertson to Gage, March 8, 1764, Bancroft Coll., Eng. and Am., 1764–1765; "Account of what happened in Illinois when the English attempted to take possession of it by way of the Mississippi", in Archives of the Ministry of the Colonies, summarized in *Can. Arch. Report*, 1905, I, 470–471; Parkman, *Conspiracy of Pontiac*, II, 284, n. 1, containing a letter from Gage thanking d'Abbadie for his efforts in behalf of the English.

[22] Summary of the correspondence of d'Abbadie with the French commandants, January, 1764, *Can. Arch. Report*, 1905, I, 471. Parkman, who made a careful study of the correspondence in the French archives, came to the conclusion that the French officials may be exonerated. Winsor holds a similar view, *Miss. Basin*, 452. See also Gayarré, *Louisiana*, II, 101. Kingsford, *Hist. of Can.*, V, 69–74, places no dependence, however, in d'Abbadie's statements. On the other hand he bases most of his argument upon a letter of Loftus which

There may have been some justification for the suspicion of Loftus that intrigues were at work, for the French as a whole were not in sympathy with the attempt, and the success of the English would mean the cessation of the lucrative trade between New Orleans and Illinois. They were no doubt delighted at the discomfiture of the English officer, for when some of the chiefs engaged in the ambuscade entered New Orleans they are said to have been publicly received.[23]

Granting, however, the machinations of the French, the chief reason for the failure of Loftus may be found in the absence of precautions before undertaking the journey. Governor d'Abbadie had given the English officer warning of the bad disposition of a number of tribes along the Mississippi River, among whom Pontiac had considerable influence, and had assured him that unless he carried presents to the Indians, he would be unable to proceed far up the river.[24] The policy of sending advance agents with convoys of presents for the Indians was successful the following year when the Illinois posts were finally reached from the east, but no such policy was adopted at this time.[25] No action was taken to counteract any possible intrigues on the part of the French; d'Abbadie's advice was not heeded, and his prophecy was fulfilled. General Gage, in his official correspondence relative to a second attempt, implied that he did not think sufficient care had been exer-

he quotes at length, but gives no hint as to its location, date, etc. It is evidently not the letter written to Gage, which is quoted above.

[23] Loftus to Gage, April 9, 1764, Bancroft Coll., Eng. and Am., 1764–1765.

[24] Gage to Halifax, April 14, 1764, *N. Y. Col. Docs.*, VII, 619.

[25] This has reference to those tribes along the Mississippi River who were in direct communication with Pontiac and the French. The great Cherokee and Chickasaw nations were favorable to the English.

cised to insure success, and expressed his belief that if Loftus would make use of the "necessary precautions" he might reach the mouth of the Ohio with little interruption.[26] This want of judgment, therefore, accounts in a large degree for the unfortunate termination of the plans for an approach from the south.

The news of the defeat of Loftus had two results. First, it gave Pontiac renewed hope that he might be able to rally again the western and northern Indians, and, with French assistance, block the advance of the English. In the second place it led General Gage to determine upon an advance from the east, down the Ohio River, which was made practicable by the recent submission of the Shawnee and Delaware Indians.

Meanwhile the Illinois country in 1764 presented an anomalous situation. St. Ange was governing, in the name of Louis XV, a country belonging to another king. Although he was under orders to surrender the place as soon as possible to its rightful owner, the prospect of such surrender seemed remote. He was not only surrounded by crowds of begging, thieving savages, but was also being constantly petitioned by the emissaries of Pontiac for his active support against the approaching English. A considerable portion of the French traders of the villages were secretly, and sometimes openly, supporting the Indian cause, which added greatly to the increasing embarrassment of the commandant. So distressing was the situation in 1764 that Neyon de Villiers, St. Ange's predecessor, had called the latter from Vincennes on the Wabash to Fort de Chartres

[26] Gage to Bouquet, May 21, 1764, Can. Arch., series A, vol. 8, p. 393; Gage to Halifax, May 21, 1764, Bancroft Coll., Eng. and Am., 1764-1765; Gage to Haldimand, May 27, 1764, Brit. Mus., Add. MSS., 21, 662; Gage to Halifax, July 13, 1764, Bancroft Coll., Eng. and Am., 1764-1765.

and left the country in disgust, taking with him to New Orleans sixty soldiers and eighty of the French inhabitants.[27] He had shortly before indignantly refused to countenance the proposals of Pontiac, and had begged the Indians to lay down their arms and make peace with the English.[28]

The news of Loftus' defeat aroused in Pontiac the thought of meeting and repelling the advance from the east as it had been met and repelled in the south. In spite of the news of the defeat of his allies by Bouquet and the report that preparations were being made by his victorious enemy to advance against him, Pontiac determined to make a supreme effort. By a series of visits among the tribes dwelling in the Illinois country, on the Wabash, and in the Miami country, he succeeded in arousing in them the instinct of self-preservation, in firing the hearts of all the faltering Indians, and in winning the promise of their cooperation in his plan of defense. It was under these circumstances that he met and turned back Captain Thomas Morris in the Miami country early in the autumn of 1764. Morris had been sent by Bradstreet, who was at this time engaged in his campaign against the northern Indians, from the neighborhood of Detroit with messages to St. Ange in the Illinois country, whence he was to proceed to New Orleans.[29] After

[27] Parkman, *Conspiracy of Pontiac*, II, 275; Winsor, *Miss. Basin*, 454.

[28] St. Ange to d'Abbadie, August 16, 1764, *Can. Arch. Report*, 1905, I, 471; Parkman, *Conspiracy of Pontiac*, II, 279–280.

[29] The original journal kept by Morris during this journey is reprinted in Thwaites, *Early Western Travels*, I, 298–328. There is also a biographical sketch in the same volume. See account by Henry C. Van Schaack, "Captain Thomas Morris in the Illinois Country", *Mag. of Am. Hist.*, VIII, Pt. 2, pp. 470–479. Correspondence relating to the Morris mission is to be found in the Bouquet Collection, Can. Arch., series A, vol. 8, pp. 475–491. For good accounts of the incident, see Parkman, *Conspiracy of Pontiac*, II, 198–208, and Kingsford, *Hist. of Can.*, V, 8.

being maltreated and threatened with the stake Morris effected an escape and made his way to Detroit.[30] It was during his interview with Pontiac that the latter informed him of the repulse of Loftus, of the journey of his own emissaries to New Orleans to seek French support, and of the determination of the Indians to resist the English to the last.[31]

A few months later, in February, 1765, there arrived at Fort de Chartres an English officer, John Ross, accompanied by a trader named Crawford. They were probably the first Englishmen to penetrate thus far into the former French territory since the beginning of the war.[32] They had been sent from Mobile by Major Farmer, the commandant at that place, to bring about the conciliation of the Indians in the Illinois country.[33] Instead of following the Mississippi they worked their way northward through the great Choctaw and Chickasaw nations to the Ohio, descended the latter to the Mississippi and proceeded thence to the Illinois villages.[34] Although St. Ange received them cordially[35] and did all in his power to influence the savages to receive the English,[36] the mission of Ross was a failure. The western Indians had nothing but expressions of hatred

[30] This incident illustrates the practical failure of Bradstreet's campaign against the Indians in the lake region. While he retook the posts, his terms were so easy that the Indians were not in the least awed by the proximity of his army.

[31] Thwaites, *Early Western Travels*, I, 305.

[32] Ross to Farmer, February 21, 1765, Bancroft Coll., Eng. and Am., 1764–1765; Gage to Halifax, August 10, 1765, *ibid.*

[33] Ross to Farmer, May 25, 1765, Bancroft Coll., Eng. and Am., 1764–1765; H. Gordon to Johnson, August 10, 1765, Johnson MSS., vol. XI, no. 73.

[34] Ross to Farmer, May 25, 1765, Bancroft Coll., Eng. and Am., 1764–1765.

[35] Ross to Farmer, May 25, 1765, Bancroft Coll., Eng. and Am., 1764–1765.

[36] *Ibid.*

and defiance for the English; even the Missouri and Osages from beyond the Mississippi had fallen under the influence of Pontiac.[37] Ross and his companion remained with St. Ange nearly two months, but about the middle of April were obliged to go down the river to New Orleans.[38]

During the winter of 1764–1765 preparations were made to send a detachment of troops down the Ohio from Fort Pitt to relieve Fort de Chartres. To pave the way for the troops two agents were despatched in advance. Sir William Johnson selected his deputy, George Croghan, for the delicate and dangerous task of going among the Indians of that country to assure them of the peaceful attitude of the English, to promise them better facilities for trade, and to accompany the promise with substantial presents.[39] The second agent was Lieutenant Fraser,[40] whose mission was to carry letters from General Gage to the French commandant

[37] *Ibid.*; "Copy of Council held at the Illinois in April, 1765", P. R. O., Home Office Papers, Dom., Geo. III, vol. 3, no. 4 (1); copy of minutes of council, April 4, 1765, summarized in *Can. Arch. Report*, 1905, I, 473. See also de Villiers du Terrage, *Les dernières Années de la Louisiane française*, 220.

[38] Ross to Farmer, May 25, 1765, Bancroft Coll., Eng. and Am., 1764–1765.

[39] Johnson to Gage, June 9, 1764, Johnson MSS., vol. XIX, no. 111; Johnson to Lords of Trade, December 26, 1764, *N. Y. Col. Docs.*, VII, 689; Bouquet to Gage, January 5, 1765, Can. Arch., series A, vol. 7, p 111; Parkman, *Conspiracy of Pontiac*, II, 291–292; Winsor, *Narr. and Crit. Hist. of Am.*, VI, 702. Croghan is one of the most interesting figures of the period. He had charge, as Sir William Johnson's deputy, of the Indians in the Ohio River region, and was thoroughly conversant with western affairs. For biographical sketch, see Thwaites, *Early Western Travels*, I, 47–52, or *N. Y. Col. Docs.*, VII, 690.

[40] Gage to Bouquet, December 24, 1764, Can. Arch., series A, vols 8, p. 499; same to same, December 30, 1764, *ibid.* This distinction i- not generally made. Writers have usually inferred that Fraser accom. panied Croghan in an unofficial capacity. See however, Winsor, *Miss. Basin*, 456. Ogg, *Opening of the Miss.*, 310, places Fraser's journey a year previous to Croghan's, which is obviously an error.

and a proclamation for the inhabitants.[41] January 24, 1765, Fraser and Croghan set out from Carlisle, Pennsylvania,[42] followed a few days later by a large convoy of presents.[43] During the journey the convoy was attacked by a band of Pennsylvania borderers,[44] and a large part of the goods destined for the Indians was destroyed[45] together with some valuable stores which certain Philadelphia merchants were forwarding to Fort Pitt for the purpose of opening up the trade as early as possible.[46] Croghan found it necessary therefore to tarry at Fort Pitt to replenish his stores and to await the opening of spring.[47] Another matter, however, intervened which forced him to postpone his departure for more than two months. A temporary defection had arisen among the Shawnee and Delaware Indians.[48] They had failed to fulfill some of the obligations imposed upon them by Bouquet in the previous summer, and there was some fear lest they might not permit Croghan to pass through their country. His influence was such however, that in an assembly of the tribes at Fort Pitt he not only received their consent to a safe passage, but some of their number volunteered to accompany him.[49]

[41] Gage to Johnson, February 2, 1765, Parkman Coll. (Mass. Hist. Soc.), Pontiac–Miscell., 1765–1778.

[42] Jos. Galloway to B. Franklin, January 23, 1765, Sparks MSS., XVI, 54, 55.

[43] Parkman, *Conspiracy of Pontiac*, II, 292.

[44] The frontiersmen could not understand the significance of the movement and were incensed at the idea of giving valuable presents to the Indians.

[45] Johnson to Lords of Trade, May 24, 1765, *N. Y. Col. Docs.*, VII, 716; Parkman, *Conspiracy of Pontiac*, II, 292–297.

[46] Johnson to Lords of Trade, May 24, 1765, *N. Y. Col. Docs.*, VII, 716.

[47] Parkman, *Conspiracy of Pontiac*, II, 297.

[48] Johnson to Lords of Trade, January 16, 1765, *N. Y. Col. Docs.*, VII, 694.

[49] Croghan's "Journal of transactions", February 28 to May 12,

Meantime Lieutenant Fraser, Croghan's companion, decided to proceed alone, inasmuch as Gage's instructions to him were to be at the Illinois country early in April.[50] On March 23 he departed, accompanied by two or three whites and a couple of Indians,[51] and reached the Illinois posts in the latter part of April, shortly after the departure of Lieutenant Ross and his party. Here Fraser found many of the Indians in destitution and some inclined for peace.[52] Nevertheless, instigated by the traders and encouraged by secret presents, the savages as a whole would not listen to him. He was thrown into prison, his life threatened, and was finally saved only by the intervention of Pontiac himself.[53] Fraser, feeling himself to be in a dangerous situation, unable to hear from Croghan, whom he was daily ex-

1765, MS. in Parkman Coll.; Johnson to Burton, June 6, 1765, Johnson MSS., vol. X, no. 263. Johnson had expected Croghan to meet Pontiac at Fort Pitt, but in this he was disappointed. Johnson to Lords of Trade, May 24, 1765, *N. Y. Col. Docs.*, VII, 716.

[50] Croghan's "Journal of transactions", February 28 to May 12, 1765, MS. in Parkman Coll.

[51] Maissonville, a Frenchman, and one Andrew, an interpreter, were among the whites. Shawnee and Seneca Indians also accompanied the party. Note the error in Kingsford, *Hist. of Can.*, V, 116, and in Wallace, *Illinois and Louisiana under French Rule*, 354, wherein Sinnott is said to have accompanied Fraser. Sinnott had been sent about the same time from the south by Indian agent Stuart. On arriving at the Illinois his goods were plundered and he was finally forced to flee to New Orleans. Johnson to Lords of Trade, September 28, 1765, *N. Y. Col. Docs.*, VII, 765; same to same, November 16, 1765, *ibid.*, 776. Apparently Sinnott must have arrived at Illinois after Fraser's departure for New Orleans, since Croghan implies that Sinnott was still at Fort de Chartres during his own captivity at Vincennes. See Croghan's "Journal and transactions", May 15 to September 25, 1765, as printed in *N. Y. Col. Docs.*, VII, 780.

[52] Parkman, *Conspiracy of Pontiac*, II, 300.

[53] Fraser to Gage, May 15, 1765, Bancroft Coll., Eng. and Am., 1764–1765; Fraser to Crawford, May 20, 1765, *Mich. Pioneer and Hist. Colls.*, X, 216–218; Fraser to Gage, May 26, 1765, Bancroft Coll., Eng. and Am., 1764–1765; Gage to Johnson, August 12, 1765, Parkman Coll., Pontiac–Miscell., 1765–1778.

pecting, and frequently insulted and maltreated by the drunken savages, took advantage of his discretionary orders and descended the Mississippi toward New Orleans.[54] Although the French traders continued to supply the Indians with arms and ammunition, and to buoy up their spirits by stories of aid from the king of France, Pontiac himself was being rapidly disillusioned. He had given Fraser the assurance that if the Indians on the Ohio had made a permanent peace he would do likewise.[55] St. Ange continued to refuse the expected help,[56] so that when the news came of the failure of the mission to New Orleans and of the transfer of Louisiana to Spain, the ruin of the Indian cause was complete.

Having adjusted affairs with the Indians at Fort Pitt, Croghan set out from there on May 15th with two boats, accompanied by several white companions and a party of Shawnee Indians.[57] In compliance with messages from Croghan, representatives from numerous tribes along the route met him at the mouth of the Scioto and delivered up a number of French traders who were compelled to take an oath of allegiance to the English crown, or pass to the west

[54] Fraser to Gage, June 16, 1765, Bancroft Coll., Eng. and Am., 1764–1765; Parkman, *Conspiracy of Pontiac*, II, 302; de Villiers du Terrage, *Les dernières Années de la Louisiane française*, 220–221. Reports were current in the East that Fraser and his party were killed by Indians. See Gage to Johnson, June 17, 1765, Myers Coll. (Lenox Library); Johnson to Lords of Trade, July, 1765, Johnson MSS., vol. XI, no. 43. One of the party, Maissonville, remained in Illinois, Thwaites, *Early Western Travels*, I, 146. Fraser accompanied Farmer back to Fort de Chartres later in the year, Fraser to Gage, December 16, 1765, B. T.Papers (Hist. Soc. Pa.), vol. XX.

[55] Fraser to Campbell, May 20, 1765, *Mich. Pioneer and Hist. Colls.*, X, 216–218.

[56] St. Ange to d'Abbadie, *Can. Arch. Report*, 1905, I, 471.

[57] A party of traders headed by one Crawford preceded Croghan. They were, however, cut off before reaching the Illinois country. Shuckburgh to Johnson, July 25, 1765, Johnson MSS., vol. XI, no. 56.

of the Mississippi.[58] The only other incident of importance on this voyage was an attack by the Kickapoos and Mascoutin Indians near the mouth of the Wabash on June 8th,[59] which contributed greatly to the success of the mission. After the attack, in which two whites and several Shawnees were killed, the assailants expressed their profound sorrow, declaring that they thought the party to be a band of Cherokees with whom they were at enmity.[60] Nevertheless, they plundered the stores and carried Croghan and the remainder of the party to Vincennes, a small French town on the Wabash. Croghan was now separated temporarily from his companions and carried to Fort Ouiatanon, about two hundred and ten miles north of Vincennes. The political blunder of the Kickapoos in firing upon the convoy now became apparent;[61] they were censured on all sides for having attacked their friends, the Shawnees, since the latter might thus be turned into deadly enemies.[62] During the first week of July deputations from all the surrounding tribes visited Croghan, assuring him of their desire for peace and of their willingness to escort him to the Illinois country

[58] Croghan's journal in Thwaites, *Early Western Travels*, I, 131; Parkman, *Conspiracy of Pontiac*, II, 304. The chief sources of information for this journey are Croghan's journals, most of which have been printed in Thwaites, *Early Western Travels*, I, 126–166. For good secondary accounts see Parkman, *Conspiracy of Pontiac*, II, 304–315; Kingsford, *Hist. of Can.*, V, 116–120; Winsor, *Narr. and Crit. Hist. of Am.*, VI, 704; Winsor, *Miss. Basin*, 456–457.

[59] Croghan's journal, in Thwaites, *Early Western Travels*, I, 131; Gage to Conway, September 23, 1765, Bancroft Coll., Eng. and Am., 1764–1765.

[60] Croghan's journal, in Thwaites, *Early Western Travels*, I, 139.

[61] Croghan to Murray, July 12, 1765, Bancroft Coll., Eng. and Am., 1764–1765; Gage to Conway, September 23, 1765, *ibid.*

[62] Croghan to Murray, July 12, 1765, Bancroft Coll., Eng. and Am., 1764–1765; Croghan's journal, in Thwaites, *Early Western Travels*, I, 146.

where Pontiac was residing.[63] July 11th, Maissonville, whom Fraser had a few weeks before left at Fort de Chartres, arrived at Ouiatanon with messages from St. Ange requesting Croghan to come to Fort de Chartres to arrange affairs in that region.[64] A few days later Croghan set out for the Illinois country, attended by a large concourse of savages, but had advanced only a short distance when he met Pontiac himself who was on the road to Ouiatanon. They all returned to the fort where, at a great council, Pontiac signified his willingness to make a lasting peace and promised to offer no further resistance to the approach of the English troops.[65] There was now no need to go to Fort de Chartres; instead Croghan turned his steps toward Detroit, where late in the summer of 1765, another important Indian conference was held in which a general peace was made with all the western Indians.[66]

Immediately after effecting an accommodation with Pontiac at Ouiatanon, Croghan sent an account of the success of his negotiations to Fort Pitt,[67] where Captain Sterling

[63] Croghan to Murray, July 12, 1765, Bancroft Coll., Eng. and Am., 1764–1765; Croghan's journal, in Thwaites, *Early Western Travels*, I, 144–145; Johnson to Lords of Trade, July, 1765, Johnson MSS., vol. XI, no. 43.

[64] Croghan's journal, in Thwaites, *Early Western Travels*, I, 145–146.

[65] Croghan's journal, in Thwaites, *Early Western Travels*, I, 145–146; Jas. Macdonald to Johnson, July 24, 1765, Johnson MSS., vol. XI, no. 50; Thos. Hutchins to Johnson, August 31, 1765, *ibid.* no. 97; Gage to Conway, September 23, 1765, Bancroft Coll., Eng. and Am., 1764–1765.

[66] Croghan's journal, in Thwaites, *Early Western Travels*, I, 154–166; Johnson to Wallace, September 18, 1765, Johnson MSS., vol. XI, no. 56; Gage to Conway, September 23, 1765, Bancroft Coll., Eng. and Am., 1764–1765; Johnson to Lords of Trade, September 28, 1765, *N. Y. Col. Docs.*, VII, 766; Gage to Conway, November 9, 1765, Bancroft Coll., Eng. and Am., 1764–1765. The editor of the *N. Y. Col. Docs.*, VII, 982, says that Croghan went to Fort de Chartres, which is erroneous.

[67] Gage to Conway, September 23, 1765, Bancroft Coll., Eng. and

with a detachment of about one hundred men of the Forty-second or Black Watch Regiment, had been holding himself in readiness for some time, waiting for a favorable report before moving to the relief of Fort de Chartres. Although the Thirty-fourth Regiment under Major Farmer was supposed to be making its way up the Mississippi to relieve the French garrison in Illinois, General Gage would not depend upon its slow and uncertain movements.[68] Upon receipt of the news from Croghan, on the 24th of August Sterling left Fort Pitt[69] and began the long and tedious journey. Owing to the season of the year the navigation of the Ohio was very difficult, forty-seven days being required to complete the journey.[70] The voyage on the whole was without incident until about forty miles below the Wabash River. Here Sterling's force encountered two boats loaded with goods, in charge of a French trader, and accompanied by some thirty Indians and a chief of the Shawnees, who had remained in the French interest.[71] On account of the allegations of a certain Indian that his party had planned to fire on the English before they were aware of the latter's strength, Sterling became apprehensive lest the attitude of the Indians had changed since Croghan's visit. He therefore sent Lieutenant Rumsey, with a small party, by land from Fort Massac to Fort de Chartres, in order to ascertain

Am., 1764–1765; Johnson to Wallace, September 18, 1765, Johnson MSS., vol. XI, no. 56; Johnson to Lords of Trade, September 28, 1765, *N. Y. Col. Docs.*, VII, 766.

[68] Gage to Conway, September 23, 1765, Bancroft Coll., Eng. and Am., 1764–1765.

[69] *Ibid.*; Letter of Jas. Eidington, October 17, 1765, P. R. O., Chatham Papers, vol. 97.

[70] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122.

[71] *Ibid.*

the exact situation and to apprise St. Ange of his approach.[72] Rumsey and his guides, however, lost their way and did not reach the villages until after the arrival of the troops.[73] Sterling arrived on the 9th of October,[74] and on the following day St. Ange and the French garrison were formally relieved.[75] With this event the last vestige of French authority east of the Mississippi River passed away.

[72] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122.

[73] *Ibid.*

[74] *Ibid.*; Sterling alleged that the Indians and French were unaware of his approach until he was within a few miles of the villages, and that the Indians upon learning of the weakness of the English forces, assumed a most insolent and threatening attitude. He further asserted that although Croghan claimed to have made a peace with all the Illinois chiefs, he is assured that not one was present at the peace at Ouiatanon, and that his own sudden appearance at the villages was the real cause of his success. Sir William Johnson, in a letter to Croghan, February 21, 1766, casts doubt upon the representations of Sterling. He says that it is easy to account for his motives, and that he has written General Gage fully upon the subject. The letter referred to has probably been destroyed, at any rate it is not in any of the large collections. Johnson MSS., vol. XII, no. 60.

[75] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122; Eidington to ——, October 17, 1765, P. R. O., Chatham Papers, vol. 97; Gage to Johnson, December 30, 1765, MS. in Hist. Soc. Pa.; Gage to Barrington. January 8, 1766, P. R. O., Am. and W. I., vol. 122; Gage to Conway, January 16, 1766, *ibid.*; Johnson to Lords of Trade, January 31, 1766, *N. Y. Col. Docs.*, VII, 808; Articles of surrender, inventory of goods, etc., P. R. O., Am. and W. I., vol. 122. These documents are printed in *Transactions* of the Ill. State Hist. Soc. for 1907. For secondary account of the surrender, see Stone, *Life of Sir William Johnson*, II, 252. Captain Sterling relates in his letter to Gage that he had considerable difficulty in persuading St. Ange to surrender his ammunition and artillery stores. St. Ange claimed he had positive orders to surrender only the fort and a few pieces of artillery. Parkman, *Conspiracy of Pontiac*, II, 314, says Sterling arrived at Fort de Chartres in the early part of winter, and Nicollet, in his sketch of St. Louis, states that the fort was reached in mid-summer. From the references already quoted, however, there can be no doubt as to the exact date.

CHAPTER IV.

Five Years of Disorder, 1765–1770.

What actual events took place in the Illinois country after the English occupation has long been problematical. Previous writers, almost without exception, have dismissed with a sentence the first two or three years of the period. Indeed, the whole thirteen years of British administration have generally been crowded into two or three paragraphs. Although the available historical material relating to the field in general has been considerably augmented, gaps yet remain which must be bridged before a complete history of the colony under the British can be written.

The first duty of the British commandant after taking formal possession of Fort de Chartres in October, 1765, was to announce to the inhabitants the contents of Gage's proclamation, defining the status of the individual inhabitants of Illinois. One of the leading features of this document was a clause granting to the French the right of the free exercise of the Roman Catholic religion "in the same manner as in Canada",[1] which was the fulfilment on the part of the British government of the pledge given in the fourth article of the treaty of Paris, which contained the following clause: "His Brittanic Majesty agrees to grant the liberty of the Catholic religion to the inhabitants of Canada; he will consequently give the most precise and

[1] *Am. State Papers, Pub. Lands*, II, 209; Dillon, *Hist. of Indiana*, I, 93-94.

effectual orders, that his new Roman Catholic subjects may profess the worship of their religion, according to the rites of the Roman Catholic Church, as far as the laws of Great Britain permit." This provision appertained to the whole western territory as well as to Canada proper. Prior to the treaty of cession the Illinois and Wabash settlements were subject to the jurisdiction of Louisiana, and approximately the country north of the fortieth parallel had been within the limits of Canada. But in the treaty all the territory lying between the Alleghanies and the Mississippi River was described as a dependency of Canada. The government was thus committed to religious toleration within the whole extent of the ceded territory. This meant, however, that only the religious privileges of the church had been secured, for the clause in the treaty, "as far as the laws of Great Britain permit",[2] meant that the authority of France would not be tolerated within the British empire.

Other clauses provided that all the inhabitants of Illinois who had been subjects of the King of France, might if they desired, sell their estates and retire with their effects to Louisiana. No restraint would be placed on their emigration, except for debt or on account of criminal processes.[3] This was also a fulfilment of the pledges made in the treaty of Paris.[4] All the inhabitants who desired to retain their estates and become subjects of Great Britain were guaranteed security for their persons and effects, and liberty of trade upon taking the oath of allegiance and fidelity to the crown.[5]

When Captain Sterling proceeded to Kaskaskia to post

[2] *Can. Const. Docs., 1759–1791*, 75.
[3] *Am. State Papers, Pub. Lands*, II, 209.
[4] *Can. Const. Docs., 1759–1791*, 75.
[5] *Am. State Papers, Pub. Lands*, II, 209.

the proclamation and to administer the oath of allegiance as authorized by the commanding general, he was confronted by an unexpected movement on the part of the inhabitants. A petition was presented, signed by representative Frenchmen of the village, asking for a respite of nine months in order that they might settle their affairs and decide whether they wished to remain under the British government or withdraw from the country.[6] According to treaty stipulations the inhabitants of the ceded territory had been given eighteen months in which to retire, the time to be computed from the date of the exchange of ratifications.[7] The limit thus defined had long since expired, and it was therefore beyond the legal competence of Sterling or of his superior, General Gage, to grant an extension of time. Sterling, indeed, refused at first to grant the request,[8] but when he perceived that unless some concessions were made the village would be immediately depopulated, he extended the time to the first of March, 1766,[9] with the stipulations that

[6] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122. "Nous avons eu l'honneur de faire, à cette Occasion, nos justes Representations à Mr. Sterling, et lui avons demandé un Delai de neuf Mois, pour attendre que les Commerçans Anglais étant arrivés, et la Confiance rétablie avec le Commerce, ceux d'entre nous qui voudront quitter puissent tirer parti de leurs Biens fonds et Maisons." Petition of the inhabitants to Gage, P. R. O., Am. and W. I., vol. 122.

[7] *Can. Const. Docs., 1759–1791*, 86.

[8] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122.

[9] *Ibid.* "Comme il n'à pas cru pouvoir prendre sur lui d'accorder que jusqu'au Mois de Mars prochain, il nous a promis d'appuyer auprès de Votre Excellence, la justice de notre Cause, ainsi que l'Impossibilité de rien vendre dans le Moment présent. L'entière Confiance que nous avons en Sa Parole, nous borne à remettre seulement sous vos yeux, que personne n'a pu prendre des arrangements antérieurs à l'arrivée des Troupes Anglaises dans ce Païs, que nous étions tous les jours prêts l'abandonner, par les Violences des Sauvages enhardis par notre petit nombre." Petition of inhabitants, *ibid.*

a temporary oath of allegiance be taken,[10] and that all desiring to leave the country should give in their names in advance.[11] To this tentative proposal the French in Kaskaskia agreed on condition that Sterling forward to the commanding general a petition in which they asked for a further extension.[12] An officer was then despatched to the villages of Prairie du Rocher, St. Philippe, and Cahokia, where similar arrangements were made.[13]

The machinery of government in operation under the French had become so unsettled during the French and Indian war that when the English troops entered the country affairs were in a chaotic state. The commandant of the English troops had of course no commission to govern the inhabitants, but he found himself confronted with conditions which made immediate action imperative. Practically the only civil officials Sterling found on the English side of the river were Joseph Lefebvre, who acted as judge, attorney-general, and guardian of the royal warehouse, and Joseph Labuxiere, who was clerk and notary public.[14] These men, however, retired to St. Louis with St. Ange and the French soldiers shortly after the arrival of the English.[15] This brought the whole governmental machinery to a standstill,

[10] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122.

[11] *Ibid.*; Farmer to Gage, December 19, 1765, B. T. Papers (Hist. Soc. Pa.), vol. XX.

[12] P. R. O., Am. and W. I., vol. 122. The petition is signed by such prominent Frenchmen as La Grange, who acted as civil judge under the British, Rocheblave, who became the last British commandant in Illinois, Bloüin, a wealthy merchant and later a prominent advocate of a civil government, J. B. Beauvais, Charleville, and others. Gage granted the request without waiting for an answer from London, thus indorsing the action of his subordinate. Gage to Conway, January 16, 1766, *ibid.*

[13] Sterling to Gage, October 18, 1765, *ibid.*

[14] Sterling to Gage, December 15, 1765, *ibid.*

[15] *Ibid.*

and the English commander was forced to act. He determined to appoint a judge and after consulting the principal inhabitants of the villages, selected La Grange, who was intrusted "to decide all disputes according to the Law and Customs of the Country", with liberty of appeal to the commandant in case the litigants were dissatisfied with his decision.[16] The captains of militia seem to have retained their positions under the British, their duties being practically the same as in the French régime. Each village or parish had its captain who saw to the enforcement of decrees and other civil matters as well as to the organization of the local militia.[17] The office of royal commissary was also continued and James Rumsey, a former officer in the English army, was appointed to this position.[18] But who was to continue the duties of the old French commandant with both his civil and military functions? Obviously the most logical person was the commanding officer of the English troops stationed at the fort, with the difference that the French official held a special commission for the performance of these duties, and the English commandant had no such authorization. A further and more fundamental difference lay in the fact that formerly the French had the right to appeal to the Superior Council at New Orleans,[19] while apparently no such corresponding safeguard was given them by the new arrangement.

Sterling did not long retain command of the post[20] for on

[16] Sterling to Gage, December 15, 1765, *ibid.*

[17] Sterling to Gage, December 15, 1765, P. R. O., Am. and W. I., vol. 122; Cahokia Records (Belleville, Ill.), British period.

[18] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122.

[19] See above, ch. I, p. 11.

[20] Monette, *Hist. of Miss. Valley* (1846), I, 411, says that "Capt. Stirling died in December; St. Ange returned to Fort Chartres, and not long afterward Major Frazer, from Fort Pitt, arrived as commandant." The statement is wholly incorrect. Sterling later served in the

December 2, he was superseded by Major Robert Farmer,[21] his superior in rank, who arrived from Mobile with a detachment of the Thirty-fourth Regiment, after an eight months' voyage.[22] Their arrival was exceedingly welcome to Sterling and his men, who were becoming greatly embarrassed for lack of provisions, ammunition, and presents for the Indians.[23] When they left Fort Pitt in August, it had not been deemed necessary to take more than sixty pounds of ammunition, inasmuch as Fort de Chartres was expected to yield a sufficient supply, and both Gage and Sterling believed that Croghan, with his cargo of supplies,

Revolutionary war, and lived until 1808. The "Major Frazer" referred to was doubtless the Lieutenant Fraser who preceded George Croghan to the Illinois country early in 1765. He never commanded in Illinois at any time, nor is there the slightest evidence that St. Ange, the last French commandant at Fort de Chartres, ever returned. This tradition of Sterling's death and of the succession of Fraser has been perpetuated by Reynolds, *The Pioneer Hist. of Ill.* (1852), 55; Blanchard, *Hist. of Ill.* (1883), 35; Billon, *Annals of St. Louis* (1886), I, 36; Dunn, *Hist. of Indiana* (1905), 76. Blanchard, in his *Discovery and Conquest of the Northwest* (1879), 179, after repeating the story, states that "both Peck and Brown erroneously give this commandant's name as Farmer. It should be Fraser, the same who first advanced to the place from Fort Pitt." For a sketch of Sterling's career see *N. Y. Col. Docs.*, VII, 786, or *Dict. Nat. Biog.*

[21] For sketch of Farmer's life see *N. Y. Col. Docs.*, VII, 816.

[22] Farmer to Gage, December 16 and 19, 1765, B. T. Papers (Hist. Soc. Pa.), vol. XX; Johnson to Lords of Trade, March 22, 1766, *N. Y. Col. Docs.*, VII, 816; Gage to Conway, March 28, 1766, B. T. Papers (Hist. Soc. Pa.), vol. XX; Campbell to Johnson, March 29, 1766, Parkman Coll., Pontiac–Miscell., 1765–1778; Farmer to Gage, March 11, 1765, P. R. O., Home Office Papers, vol. XX, no. 41. In the letter last cited Farmer blames Governor Johnstone of West Florida for the long delay in starting for the Illinois country and for the scant supply of provisions he carried. It appears that Farmer had planned to start early in the spring of 1765, and he alleges that Johnstone questioned his right to take provisions from the store, and insisted upon all the officers and men taking passes from himself, and in many other ways delayed the departure for several weeks.

[23] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122; letter of Eidington, October 17, 1765, P. R. O., Chatham Papers, vol. 97.

would be awaiting the arrival of the troops at the fort.[24] Neither expectation, however, was realized. Croghan was back in the colonies prior to Sterling's arrival at the post, and when the fort was transferred it yielded neither ammunition nor any other supplies in sufficient quantity to meet the needs of the troops.[25]

An assembly of three or four thousand Indians had been accustomed to gather at the fort each spring to receive annual gifts from the French. But the English had made no provision for such a contingency, which, coupled with the weakness of the garrison and the recent hostility of the Indians, would probably lead to serious complications. A probable defection of the Indians therefore necessitated a large supply of military stores[26] which it was possible to obtain only from the French merchants in the villages. The latter agreed to furnish the soldiers with ammunition on condition that they would also purchase other provisions,[27] for which, the English allege, they were charged an exorbitant price.[28] Sterling was compelled to acquiesce, for the merchants had sent their goods across the river where he could not get at them.[29]

[24] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122; letter of Eidington, October 17, 1765, P. R. O., Chatham Papers, vol. 97. Nevertheless in the Audit Office records are two entries wherein 293 pounds sterling is allowed Sterling for presents to the Indians in the Illinois country. P. R. O., Declared Accounts, Audit Office, bundle 163, roll 446.

[25] Letter of Eidington, October 17, 1765, P. R. O., Chatham Papers, vol. 97.

[26] *Ibid.*; Sterling to Gage, October 18, 1765. P. R. O., Am. and W. I., vol. 122. [27] *Ibid.* [28] *Ibid.*

[29] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122. The French afterwards declared that their reluctance to sell provisions to the English was occasioned by the pay they received, which was in bills on London or New York. These they were obliged to sell to the merchants of New Orleans from whom they purchased their goods, at a loss of fifty and sixty per cent. They were also averse to any

The large supply of provisions which the colony had produced in former years seems to have decreased; at any rate it fell far short of the expectations of the English officers. One officer writes at this time that "they have but little here, and are doing us a vast favor when they let us have a Gallon of French Brandy at twenty Shillings Sterling and as the price is not as yet regulated the Eatables is in the same proportions."[30] The wealth of the colony had been considerably impaired since the occupation on account of the exodus of a large number of families who disobeyed the order of Sterling that all who desired to withdraw should give in their names in advance. Taking their cattle, grain, and effects across the ferries at Cahokia and Kaskaskia, they found homes at St. Louis and St. Genevieve on the Spanish side.[31] Probably a larger part of the emigrants left in the hope that in Louisiana they might still enjoy their ancient laws and privileges,[32] and others from fear lest the Indians, who were now assuming a threatening attitude, might destroy their crops and homes.[33]

kind of paper currency, owing to its bad management by the French government of Louisiana prior to 1763. Croghan to Gage, January 12, 1767, Johnson MSS., vol. XIV, no 12. For an account of the paper money issued during the French régime, see Pittman, *Present State of the European Settlements on the Miss.*, ed. Hodder, 47–48.

[30] Letter of Eidington, October 17, 1765, P. R. O., Chatham Papers, vol. 97.

[31] Sterling to Gage, December 15, 1765, P. R. O., Am. and W. I., vol. 122.

[32] Fraser to Gage, December 16, 1765, B. T. Papers (Hist. Soc. Pa.), vol. XX; Farmer to Gage, December 19, 1765, *ibid.* Fraser alleged that St. Ange, who acted as commandant at St. Louis after his retirement from Fort de Chartres, instigated many of the French to cross over, and that other residents of the Spanish side endeavored to frighten the inhabitants of Illinois by representing Major Farmer as a rascal who would deprive them of their former privileges. See also Fraser's "Report of an Exploratory Survey", May 4, 1766, Can. Arch., series B, vol. 26, p. 24.

[33] Memorial of the inhabitants to Gage, October, 1765, P. R. O.,

The serious situation of the garrison continued through the winter and spring of 1765 and 1766.[34] Farmer estimated that all the provisions available (barely enough to last the garrison until July),[35] amounted to no more than 50,000 pounds of flour and 1,250 pounds of cornmeal, a portion of which would have to be given to the Indians since representatives of that department had not yet appeared. These circumstances obliged Major Farmer to send Sterling and his troops to New York by way of the Mississippi River and New Orleans.[36] In response to a series of urgent requests for assistance, Gage employed a force of Indians to transport a cargo to Fort de Chartres,[37] which reached there

Am. and W. I., vol. 122; Fraser to Gage, December 16, 1765, B. T. Papers (Hist. Soc. Pa.), vol. XX. The movement across the river was considerable during the early years of the occupation. In the summer of 1765 there were approximately 2,000 whites on the English side. Fraser to Gage, May 15, 1765, P. R. O., Am. and W. I., vol. 122. Three years later in 1768 the approximate number was 1,000, "State of the Settlements in the Illinois Country", P. R. O., Am. and W. I., vol. 125.

[34] Farmer to Gage, December 16 and 19, 1765, B. T. Papers (Hist. Soc. Pa.), vol. XX; same to Barrington, March 19, 1766, P. R. O., Am. and W. I., vol. 122.

[35] Farmer to Gage, December 16 and 19, 1765, B. T. Papers (Hist. Soc. Pa.), vol. XX. Farmer had just received word that Colonel Reed was on his way from Mobile to the Illinois country with about fifty men and just enough provisions for the journey. Reed was expecting to receive further supplies at Fort de Chartres, *ibid.*

[36] Farmer to Gage, December 16 and 19, 1765, B. T. Papers (Hist. Soc. Pa.), vol. XX; Gage to Johnson, June 2, 1766, Gage's Letters (Harvard College Library). This was contrary to Gage's orders, *ibid.*

[37] Gage to Conway, June 24, 1766, P. R. O., Am. and W. I., vol. 122. "Soon after the Regiment's arrival at Illinois, with the concurrence of the Captains present there was small notes Issued out, I believe to the amount of two months' Subsistance in order to provide the men with small Articles and Necessarys, the Paymaster gave the Merchants and others that brought in these Circulating Notes, bills on the Agent in London for the amount of them. And this is all the subsistance the Regiment received during the time I was with them at Illinois." Farmer to Haldimand, July 29, 1768, B. M., Add. MSS., 21, 677, fol. 103. Among the Kaskaskia Records is a proclamation issued by Farmer to the French assurring them that these notes would be redeemed.

early in the summer of 1766, by which time also representatives of the English merchants at Philadelphia had arrived with large stores of supplies.[38] Henceforth we hear nothing of a shortage of provisions in Illinois, for not only did the English merchants import supplies from the East, but cargoes were brought up the river from New Orleans by the French,[39] and for a time the English government itself transported the necessary provisions from Fort Pitt.[40]

Late in the summer of 1766 Farmer was superseded by Lieutenant-Colonel John Reed who came from Mobile with another detachment of the Thirty-fourth Regiment.[41] By this time a growing discontent among the Indians was manifesting itself, and became one of the most important problems confronting the new commandant of Fort de Chartres. Although the majority of the western tribes had professed their allegiance to Great Britain prior to the occupation of Illinois, there were still large numbers who considered themselves as allies of the king of France. Moreover, agents of the French merchants were roaming at will among the various tribes, spreading stories of English greed and duplicity[42] in order to retain control of the lucrative fur trade.[43] With false promises of succor from France in case the

[38] Gage to Conway, July 15, 1766, P. R. O., Am. and W. I., vol. 122; Baynton, Wharton and Morgan to Gage, August 10, 1766, Johnson MSS., vol. XIII, no. 30.

[39] See below, ch. V.

[40] Gage to Shelburne, August 24, 1767, P. R. O., Am. and W. I., vol. 123.

[41] I have been unable to determine the exact date of the change. The first document appearing with Reed's signature as commandant is dated September 8, Johnson MSS., vol. XIII, no. 104. Major Farmer appears to have expected the arrival of his successor in July or August. Farmer to Barrington, March 19, 1766, P. R. O., Am. and W. I., vol. 122.

[42] Johnson to Shelburne, December 16, 1766, *N. Y. Col. Docs.*, VII, 882–883.

[43] *Ibid.*

Indians chose to rebel,[44] the French emissaries were rapidly laying the foundation for another outbreak like that of 1763. It was therefore imperative to adopt some immediate and effective measure for the conciliation of the western tribes.

One of the evidences of English neglect to which these agents referred was the apparent absence of any arrangements for regulating and developing the fur trade and for providing presents and other concrete proofs of the goodwill of the English nation. We find Captain Sterling himself complaining of the "disagreeable situation" he was in, "without an Agent or Interpreter for the Indians, or Merchandize for presents to them which they all expect."[45] The English government had indeed been very slow in formulating and executing any definite program for Indian management. In 1764, shortly after the announcement of the proclamation of 1763, guaranteeing the Indians in the possession of their lands, Lord Hillsborough and the Board of Trade draughted a plan providing for the government of the Indian reservation and the regulation of the trade.[46] Among other things it was provided that in the future Indian affairs would be directed by two superintendents, one in the northern and one in the southern district. In the former, which included the territory north of the Ohio River, an interpreter, a gunsmith, and a commissary, who was to represent the government in all political transactions with the Indians and to look after the enforcement of the trade regulations defined in the plan, were to reside at each Indian post,

[44] Johnson to Lords of Trade, March 22, 1766, *ibid.*, 817; Johnson to Shelburne, December 16, 1766, *ibid.*, 882–883; Johnson to Lords of Trade, January 15, 1767, Dartmouth Papers, *Fourteenth Report, Royal Hist. MSS. Comm.*, Appendix X.

[45] Sterling to Gage, October 18, 1765, P. R. O., Am. and W. I., vol. 122.

[46] *Can. Arch. Report*, 1904, 242–246.

under the immediate direction of the general superintendent and his deputies. The military officials were expected to give advice and assistance but they could take no independent action except in cases of emergency or where the negotiations were purely military.

This plan of the Board of Trade, however, was proposed at an unfortunate time. The Stamp Act, which had been recently passed with the view of raising money for imperial purposes, met with such vigorous opposition on the part of the colonies, that Parliament hesitated to take formal action on a measure entailing considerable additional expense. Although no definite Parliamentary action was ever taken on the plan, the Board of Trade directed the Indian superintendents to put into execution such parts of it as they found practicable.[47] For some reason, however, Sir William Johnson, who had directed Indian affairs in America since 1756 and who had been appointed superintendent for the northern department, delayed for more than a year the appointment of the Indian officers indicated in the plan.[48] When finally on April 17, 1766, he appointed Edward Cole to be commissary of Indian affairs in the Illinois country,[49]

[47] "Representation of the Lords of Trade on Indian Affairs, March 17, 1768", *N. Y. Col. Docs.*, VIII, 24. See also Johnson to Lords of Trade, March 22, 1766, Johnson MSS., vol. XII, no. 101, and *N. Y. Col. Docs.*, VII, 817. For further notice of the plan see below, ch. V.

[48] In this Johnson apparently acted on the advice of Gage. See Gage to Johnson, February 2, 1765, Parkman Coll., Pontiac–Miscell., 1765–1778. It is probable that they wanted to make sure that such appointments could be supported.

[49] Cole to Johnson, June 23, 1766, Johnson MSS., vol. XII, no. 218. See also the deed for a house purchased at Fort de Chartres by the government through Cole as commissary, which was sworn to by commandant Reed. Johnson MSS., XIII, no. 104. Almost all previous writers on western history have given currency to the idea that Edward Cole was the military commandant at Fort de Chartres from 1766 to 1768 and that he was followed by Colonel Reed who governed but a

it was found necessary to send an additional representative of the Indian department to Fort de Chartres to perfect, if possible, a general pacification of the western Indians.

Early in February General Gage and Sir William Johnson arranged with George Croghan to undertake a second mission in the West.[50] Croghan was probably the best-fitted man in the colonies for such an undertaking. He had been one of the most successful traders in the West and knew personally the chiefs of most of the western tribes. His familiarity with the languages and customs of the various nations gave him a prestige which perhaps few English officials, except Sir William Johnson, could command. Equipped with Indian presents to the value of over three thousand pounds[51] and with instructions as to their distribution and the general purpose of the mission,[52] Croghan set out

few months. This is an error, which has been repeated by the following writers: Moses, *Ill., Hist. and Statis.*, I, 137; Moses, "Court of Enquiry at Ft. Chartres", in *Chicago Hist. Soc. Colls.*, IV, 292; Mason, *Chapters from Ill. Hist.*, 278; Parrish, *Historic Ill.*, 184; Wallace, *Ill. and La. under French Rule*, 395; Dunn, *Hist. of Indiana*, 76.

[50] Croghan to Johnson, February 14, 1766, Johnson MSS., vol. XII, no. 42; Johnson to Croghan, February 21, 1766, *ibid.*, no. 60.

[51] Gage to Johnson, April 7, 1766, Gage's Letters.

[52] Instructions to George Croghan, April 16, 1766, Parkman Coll., Pontiac-Miscell., 1765–1778. The instructions to Croghan are signed by General Gage. While, generally speaking, Sir William Johnson was the chief authority in Indian affairs, there seems to have been no very clear line of division between the Indian and military departments. While on the one hand all the correspondence with the subordinate Indian officials and with the home government was carried on by Sir William Johnson, as an examination of the *New York Colonial Documents* and the Johnson MSS. will indicate, on the other hand all the receipts for Indian expenditures had to pass through Gage's hands and receive his approval before becoming valid. On one occasion he refused to sign the bills drawn by Commissary Cole. See Cole to Croghan, December 19, 1767, Johnson MSS., vol. XV, no. 183; Gage to Hillsborough, March 12, 1768, P. R. O., Am. and W. I., vol. 124. For further evidence of this confusion see Johnson to Shelburne, April 1, 1767, *N. Y. Col. Docs.*, VII, 914.

for Fort de Chartres late in April, 1766,[53] arriving there August 20th.[54] The newly appointed commissary, Edward Cole, arrived from Detroit about the same time.[55]

Croghan found several nations of Indians collected at Kaskaskia, and after consulting with Commandant Reed, issued a call for a general meeting to be held on August 25th. The chiefs and principal warriors of eight nations, comprising some twenty-two tribes, obeyed the summons. Deputies from the Six Nations and the Delaware and Shawnee tribes had accompanied Croghan from Fort Pitt,[56] so that the congress became one of considerable importance. Although the presence of so many tribes made the negotiations difficult to carry on, Croghan was able in a few days to finish the business to the satisfaction of nearly every one present. A general peace and alliance was declared between the English and all the western and northern Indians[57] except those tribes with whom the French had sufficient influence to keep them from the conference.[58]

[53] Gage to Johnson, April 13, 1766, Gage's Letters. He probably left New York at that time. He left Fort Pitt June 18, accompanied by the merchant, George Morgan, and by Lieutenant Hutchins and Captain Gordon of the army, Morgan to his wife, June 20, 1766, MS. letter in possession of Mrs. E. S. Thacher, Nordhoff, Cal.

[54] Croghan to Johnson, September 10, 1766, Johnson MSS., vol. XIII, no. 80.

[55] Cole to Johnson, June 23, 1766, *ibid.*, vol. XII, no. 218.

[56] Croghan to Johnson, September 10, 1766, *ibid.*, vol. XIII, no. 80; Morgan to his wife, June 29, 1766, MS. letter in possession of Maria P. Woodbridge, Marietta, Ohio. Morgan's letters contain a good description of a portion of this journey down the Ohio.

[57] Croghan to Johnson, September 10, 1766, Johnson MSS., vol. XIII, no. 80; Gage to Shelburne, December 23, 1766, B. T. Papers (Hist. Soc. Pa.), vol. XXVII; Johnson to Shelburne, January 15, 1767, *N. Y. Col. Docs.*, VII, 892; Johnson to Lords of Trade, *Fifth Report, Royal Hist. MSS. Comm.*, p. 319; Croghan to Gage, January 16, 1767, *ibid.*

[58] Croghan to Johnson, September 10, 1766, Johnson MSS., vol. XIII, no. 80.

Nevertheless the chiefs who had attended the congress soon persuaded these tribes to enter the peace and on September 5th they came to Fort de Chartres and publicly announced their friendship for the English.[59]

Reed remained in command of Fort de Chartres until 1766. According to the meagre information we have for these years the relation between commandant and people, both French and English, was very unhappy. If we may trust our informants,[60] Reed's rule was characterized by numerous petty tyrannies. By imposing a high fee for administering the oath of allegiance[61] and for the issuance of marriage licenses,[62] and by inflicting exorbitant fines and even imprisonment for trivial offences,[63] the commandant won the ill-will of nearly every resident in the country.[64] This constant interference with the inhabitants led to a movement early in 1768 for the establishment of a civil

[59] *Ibid.*

[60] The chief source of information is a letter book kept by George Morgan, a prominent merchant in Illinois during the British occupation. A copy of this letter book is in the Illinois State Historical Library. It is my opinion, however, that some of his statements should be discounted somewhat. In July, 1768, Morgan established a store at Vincennes on the Wabash River, and in a letter of instructions to his agent, Alexander Williamson, occurs the following passage: "If you write to any of your friends do not let them know but that the trade is excessive Bad at the Post, lest some of the Traders there shou'd be induced to interfere with you . . ." Morgan doubtless followed this method himself. It is possible that his many statements regarding the tyranny of the military government were written for the purpose of deterring other merchants from entering the field. There was some ground, however, for his strictures, since there are some references to the commandant's conduct in the correspondence of the parish priest.

[61] Morgan to Baynton and Wharton, December 10, 1767, Morgan's MS. letter book.

[62] Father Meurin to Bishop Briand, June 11, 1768, *Jesuit Relations*, ed. Thwaites, LXXI, 43. The charge was six piasters.

[63] Morgan to Baynton and Wharton, December 10, 1767, Morgan's MS. letter book. Morgan himself was thrown into prison for a time.

[64] *Ibia.*

government,[65] but the matter was not pushed at the time, for in February Colonel Reed was recalled[66] and the post was left temporarily in charge of Captain Forbes, a subordinate officer.

But the friction between the military commandant and the French inhabitants, although somewhat minimized, did not entirely disappear during the short rule of Captain Forbes. This was illustrated by their attitude on the occasion of another threatened outbreak of the Indians in the spring and summer of 1768. Although the peace of 1766 had been kept in good faith by the few tribes of Illinois Indians who resided in the immediate vicinity of the post,[67] those nations dwelling in the surrounding country began to grow restless in the course of the following year. The French and Spanish traders from Louisiana continued to circulate war belts and messages among the Indians[68] which effectively alienated them from their new masters. Moreover, the character and method of the British traders, whose lawlessness was frequently condemned by contemporary English observers,[69] likewise contributed to turn the savages to their old friends and allies. Not only were the Indians along the Wabash and Mississippi rivers affected, but the

[65] Morgan to Baynton and Wharton, February, 1768. "They have appointed Mr. Rumsey and myself to forward this Petition to Governor Franklin to inclose and recommend it to the Board of Trade." *Ibid.*

[66] Gage to Hillsborough, June 18, 1768, P. R. O., Am. and W. I., vol. 124.

[67] Cole to Johnson, July 3, 1767, Johnson MSS., vol. XV, no. 2; Morgan's MS. letter book, *passim.*

[68] Johnson to Gage, January 15, 1767, Johnson MSS., vol. XIV, no. 15; Johnson to Shelburne, October, 1767, *N. Y. Col. Docs.*, VII, 986; Johnson to Lords of Trade, October 20, 1767, *ibid.*, 987.

[69] See for example, Johnson to Lords of Trade, October 20, 1767, *N. Y. Col. Docs.*, VII, 987, and Gage to Johnson, January 25, 1767, Johnson MSS., vol. XIV, no. 28.

disaffection extended to the powerful Delaware and Shawnee tribes of the upper Ohio River.[70]

It was in preparing to meet a probable attack upon the fort that Commandant Forbes, in April, 1768, ordered all the Englishmen, to the number of fifty or sixty, to organize themselves into a militia,[71] and likewise requested the French to form themselves into companies.[72] To this demand the French at first refused to accede. They took the ground that from the nature of the oath of allegiance they had taken, they were not obliged to take up arms which would only give offence to the Indians with whom they had no quarrel.[73] They were, therefore, determined to remain neutral,[74] and when Forbes insisted upon obedience they threatened to go over to the Spanish side of the river. But as soon as the French found that the commandant was not to be influenced by threats they consented to be enrolled.[75]

[70] Morgan to Baynton and Wharton, April 5, 1768, Morgan's MS. letter book; Gage to Shelburne, March 12, 1768, Dartmouth Papers, *Fourteenth Report, Royal Hist. MSS. Comm.*, Appendix X, p. 61.

[71] Morgan to Baynton and Wharton, April 5, 1768, Morgan's MS. letter book.

[72] Gage to Hillsborough, August 17, 1768, P. R. O., Am. and W. I., vol. 124; same to same, January 6, 1769, Dartmouth Papers, *Fourteenth Report, Royal Hist. MSS. Comm.*, Appendix X, p. 66; Gage to Hillsborough, March 5, 1769, P. R. O., Am. and W. I., vol. 125.

[73] Gage to Hillsborough, August 17, 1768, P. R. O., Am. and W. I., vol. 124.

[74] *Ibid.*

[75] *Ibid.* The following passage from a letter of Lord Hillsborough to Gage throws some light on the former's attitude towards the French inhabitants: "I must presume that Capt. Forbes had both good reason and proper authority, tho' they do not appear from your Letter, for forming the Inhabitants of the Illinois into a regular militia; but I must wait for further information before I can with precision form any judgement or opinion upon a measure, which I confess seems in the general view of it, considering the temper and disposition of the people with regard to whom it was to take place, at least of doubtful policy, if not of dangerous tendency." October 12, 1768, P. R. O., Am. and W. I., vol. 124. See answer of Gage to Hillsborough, March 5, 1769, P. R. O., Am. and W. I., vol. 125. Two years later, during a war between

Forbes's preparations were well timed, for on May 5, 1768, word reached him that war parties from the Chippewa, Ottawa, Pottawottomi, and Kickapoo tribes were preparing for an attack upon the fort.[76] The defence was immediately organized, and night and day watches were set. A close guard was kept during the following week, but the projected attack was never made.[77] A day or two before news of the contemplated attack came, a band of Pottawottomies had captured a soldier and his wife near Chartres village. Shortly afterward a party of ten Indians belonging to the same nation entered the village and requested from Commissary Cole shelter and provisions for the night. The party was given lodging in the Indian house, but Captain Forbes resolved to retain them as prisoners and therefore summoned them to the fort for a conference. The Indians, however, frightened at the sight of the soldiers under arms, jumped from the windows and fled.[78] It is probable that the knowledge thus gained of the defensive preparations at the fort induced the Indians to give up the assault. Although for a time numerous bands of belligerent savages were frequently seen in the neighborhood of the villages,[79] no further attempt was made against the English garrison.[80]

the Missouri and Illinois Indians, the French again objected to being called into service. "Lieut. Col. Wilkins complains greatly of the behavior of the French, who could not be persuaded to speak to the Invaders, tho' the domestic Indians declared any Frenchman might go in safety. He says in those disagreeable circumstances, he summoned the militia, encouraged and threatened, but met with little better than an absolute refusal, and he was shortly after informed, and for a certainty that one of them declared the Inhabitants would rebel." Gage to Hillsborough, January 6, 1770, P. R. O., Am. and W. I., vol. 126.

[76] Jenning's Journal (MS. in Hist. Soc. Pa. Library), May 5, 1768.

[77] *Ibid.*, May 10, 1768.

[78] Jenning's Journal, May 6, 1768.

[79] *Ibid.*, *passim.*

[80] Acts of hostility were frequent during the summer of 1768, espe-

The unhappy relation existing between commandant and people during the administrations of Reed and Forbes continued under Willkins, who took command September 5 1768.[81] There were, moreover, numerous disagreements between the English residents and the French, and among the French themselves there was almost continual strife.[82] Naturally a litigious people, the French were thrown into disorder when the judicial system to which they had been accustomed since the foundation of the colony was transferred to the Spanish side. It is true that the first English commandant had ordered the establishment of a civil court, with the right of appeal to the commandant, but we have no record of any activity on the part of such a court.

cially along the Ohio River. Early in July a hunting party of ten or twelve men sent from Fort de Chartres by Baynton, Wharton and Morgan was attacked near the mouth of the Wabash River and all but one were killed. A little later a party of whites from Virginia was fired upon in the same region and only one man escaped. Similar outrages occurred in other localities about the same time. Morgan to Baynton and Wharton, July 20, 1768, Morgan's MS. letter book; Forbes to Gage, July 28, 1768, Johnson MSS., vol. XVI, no. 117; Wilkins to Gage, August 15, 1768, *ibid.*, no. 140; Gage to Johnson, October 10, 1768, Gage's Letters; Gage to Hillsborough, October 14, 1768, P. R. O., Am. and W. I., vol. 124; same to same, November 8, 1768, *ibid.* These isolated instances appear insignificant, but judging from the official correspondence of the time, their importance can scarcely be overestimated by the student of the American Revolution. There was a constant apprehension on the part of the officials that another Indian rebellion would break out. It was well known that the French and Spanish were doing all in their power to bring about such an event. Note the apprehension at this time of Gage, Johnson, and Hillsborough, in Gage to Shelburne, March 12, 1768, Dartmouth Papers, *Fourteenth Report, Royal Hist. MSS. Comm.*, Appendix X, p. 61; Hillsborough to Gage, October 12, 1768, P. R. O., Am. and W. I., vol. 124; Johnson to Hillsborough, October 23, 1768, *N. Y. Col. Docs.*, VIII, 105–106.

[81] Moses, "Court of Enquiry", in *Chicago Hist. Soc. Colls.*, IV, 292. He brought several companies of the Eighteenth or Royal Regiment of Ireland from Philadelphia, leaving there in June. Gage to Hillsborough, June 18, 1768, P. R. O., Am. and W. I., vol. 124.

[82] Ensign Butricke to Geo. Barnsley, February 12, 1769, *Hist. Magazine*, VIII, 262: Moses, "Court of Enquiry", in *Chicago Hist. Soc. Colls.*, IV, 292–293.

There is some evidence, however, that in the various villages there were certain local courts [83] and resort was frequently had to courts of arbitration. [84] The fact nevertheless remains that there was no settled judicial power in Illinois, with the result that the peace of the villages was disturbed by the constant bickerings of the inhabitants, both French and English. [85]

In an effort to correct this evil Commandant Wilkins issued a proclamation on November 12, 1768, declaring his resolution to establish a court of judicature for the settlement of all civil disputes. [86] Commissions of the peace were granted to six of the more prominent inhabitants, both French and English, who were authorized "to form a Civil Court of Judicatory, with powers expressed in their Commissions to Hear and Try in a Summary way all Causes of Debt and Property that should be brought before them and

[83] "Antoine Cecirre, Captain, judge and commandant accompanied by the notary and sergeant, etc." Cahokia Records, British Period. In another document the same person is called "juge et Commandant du village des Cahokias", *ibid.* He is also called "Captain of militia and commandant", *ibid.* James Rumsey signed himself in 1768 as "Judge Advocate of the Province of Illinois". His duties, however, were confined to administering the oath of allegiance and examining land titles. He was purely an assistant to Commandant Wilkins. See *Ill. Hist. Colls.*, I, 315–316.

[84] For example, in Cahokia there was a case of arbitration in regard to the estate of a deceased Jacques Compte. Cahokia Records, British Period.

[85] See account of an address of the French to Commandant Wilkins in letter of George Morgan to Baynton and Wharton, October 29, 1768, Division of Pub. Records, Pa. State Library.

[86] MS. Court Record (Chester, Ill.), p. 23; Ensign Butricke to Barnsley, February 12, 1769, *Hist. Magazine*, VIII, 262; Edmund Flagg, *The Far West*, reprinted in Thwaites, *Early Western Travels*, XXVII. Flagg's narrative was written in 1836. In a note (p. 79) he quotes several paragraphs from the court record, including merely the account of the preliminary proceedings of the court. He says, by way of explanation, that "it purports to be transcribed from the state records, and first appeared in a western newspaper."

to give their Judgement thereon according to the Laws of England to the Best of their Judgement and understanding."[87] We may fairly ask at this point, by what authority the military commandant could authorize a court to give "Judgement according to the laws of England". Attention has been called in another chapter to the fact that until the laws of Great Britain were definitely extended to this territory the French could be judged only by their own laws.[88] It has likewise been pointed out that no act of king or Parliament had ever extended English law to the West. It was therefore beyond the legal competence of Commandant Wilkins or of the commander-in-chief of the army to make such alteration.

Turning to another point of view, did Wilkins create the court on his own responsibility? Historians have generally taken the view that Wilkins's action was in pursuance of explicit orders from the commander-in-chief, General Gage.[89] There is, indeed, some justification for this view, for Wilkins declared in 1770 that he had created the court "by virtue of the power to me given by his Excellencey Major General Thomas Gage, commander-in-chief of his

[87] MS. Court Record, p. 23. See also Butricke to Barnsley, February 12, 1769, *Hist. Magazine*, VIII, 262; Flagg, *The Far West*, in Thwaites, *Early Western Travels*, XXVII, 79. There is a slight misconception as to the number of judges appointed. Moses, *Ill., Hist. and Stat.*, I, 137, and the same author, "Court of Enquiry", in *Chicago Hist. Soc. Colls*, IV, 292; Wallace, *Ill. and La. under French Rule*, 396, and a number of others, including Bancroft, state that there were seven judges appointed. Ensign Butricke, who wrote concerning the court, asserted that there were "several" judges, but according to the record itself there were but six commissions issued and only six judges ever appear.

[88] See above, ch. II.

[89] Moses, *Ill., Hist. and Stat.*, I, 137; Moses, "Court of Enquiry", in *Chicago Hist Soc. Colls.*, IV, 292; Winsor, *Westward Movement*, 40; Wallace, *Ill. and La. under French Rule*, 396; Davidson and Stuvé, *Complete Hist. of Ill.*, 165; Bancroft, *Hist. of U. S.* (ed. 1854), VI, 224-225.

Majesty's forces in North America."[90] Considered alone, this sounds convincing. But Gage evidently had not the slightest knowledge of the existence of the court. In all of that officer's official correspondence with the home government, with subordinate officials in Illinois, and with Sir William Johnson, there is not the least mention of a court of any character. In fact Gage declared in 1771, when writing of the conditions which had prevailed in Illinois since 1765: "I perceive there has been wanting judicial power to try and determine. There has been no way to bring Controversys and Disputes properly to a determination or delinquents to punishment."[91] Lord Hillsborough, secretary for the colonies, whose knowledge of occurrences in Illinois was remarkable, and whose comments on conditions are always noteworthy, likewise gives no intimation that he was aware of the existence of the court. Moreover, Wilkins himself is silent on the subject when he writes to Gage, Secretary-at-War Barrington, and others.[92] It is therefore probable that Wilkins received no order from Gage to establish a court, and that he merely used, as a basis for his action, the general instructions of the commander-in-chief to keep order in the country.

The court consisted of six judges throughout its history

[90] MS. Court Record, p. 23. He made a similar statement about the same time: "D'autant que par les Pouvois que . . etoient donnés par Son Excellence l'Hon. Thomas Gage . . " Proclamation of Wilkins concerning the justices of the court, March 12, 1770, Kaskaskia Records, British Period.

[91] Gage to Hillsborough, August 6, 1771, P. R. O., Am. and W. I., vol. 128.

[92] A few of the longer and more detailed letters relating especially to Illinois from 1768 to 1770 have been selected for citation: Gage to Hillsborough, February 4, 1769, P. R. O., Am. and W. I., vol. 125; same to same, August 12, 1769, *ibid.*; same to same, September 9, 1769, *ibid.*; Wilkins to Barrington, December 5, 1769, *ibid.*; Hillsborough to Gage, December 9, 1769, *ibid.*; same to same, July 31, 1770, *ibid.*, vol. 126; Gage to Hillsborough, November 10, 1770, *ibid.*

from December, 1768 to June, 1770. In the beginning it was composed of four Englishmen, George Morgan, James Rumsey,[93] James Campbell, and James McMillan, and two Frenchmen, Jean Baptiste Barbau and Pierre Girardot.[94] The commandant designated Morgan as the first president of the court.[95] Morgan was an English trader who played an important role in the affairs of the Illinois country from 1766 to 1771. He was born in Philadelphia in 1741 and was educated in Princeton College. Through the influence of his father-in-law, John Baynton, he was admitted to the firm of Baynton and Wharton of Philadelphia. This company had traded extensively among the Indians on the Pennsylvania border prior to 1765, and during the Indian wars had lost heavily. In an attempt to retrieve their fortunes a branch house was established in the Illinois country in 1766, and Morgan became the firm's personal representative in the West. He first appeared in Illinois in the early part of 1766, remaining there the greater part of the next five years.[96] According to a contemporaneous letter,[97] the appointment of Morgan was considered an offence by the French inhabitants. "The French all hate the Morganians", the writer declares, and Morgan himself is "universally hated by them." Whether Morgan was so "universally hated" does not appear from any other document.

[93] Rumsey was private secretary to Wilkins.

[94] MS. Court Record, p. 1; Flagg, *The Far West*, in Thwaites, *Early Western Travels*, XXVII, 79.

[95] Butricke to Barnsley, February 12, 1769, *Hist. Magazine*, VIII, 262; MS. Court Record, p. 1.

[96] After his experience in the Illinois country Morgan served the Revolutionary cause in the capacity of Indian agent. He died in 1810. For further details of Morgan's life see "Biography of Col. George Morgan", by Julia Morgan Harding, in the Washington (Pa.) *Observer*, May 21, 1904.

[97] Butricke to Barnsley, February 12, 1769, *Hist. Magazine*, VIII, 262.

It is probable, however, that the appointment was made in order to favor the trading company which Morgan represented in Illinois, for Wilkins and Morgan were at first intimate friends, and we find the former making large grants of land to the English merchants, receiving in return a portion as compensation.[98]

The court retained its original composition until November, 1769, when the name of David Williams appeared as judge.[99] It is impossible to ascertain which judge he superseded, for there were few sittings in which the entire court was present. From this time changes were made rapidly. In February, 1770, Louis Viviat, a prominent Frenchman of Kaskaskia, became a judge,[100] and in May, Charleville and Louviere were given commissions.[101] The court then consisted of Morgan, who still acted as president, Barbau, Girardot, Viviat, Charleville, and Louviere, all the Englishmen except Morgan having been displaced by Frenchmen. This complete transformation was of course the work of Wilkins himself, for the court was in every sense his own creation. March 4, 1770, we find him extending its jurisdiction to criminal as well as civil cases: "And whereas several Disputes and Controversys have from time to time arisen Between the Inhabitants of the Country aforesaid as well as Assaults and Batteries Committed which by the Powers by me Heretofore given to Said Court may not appear to be cognizable by them, . . . And as the present

[98] Statement of George Morgan and Jas. Rumsey that Wilkins had granted lands to Joseph Galloway, Jas. Rumsey, John Baynton and Company, and Baynton, Wharton and Morgan on April 12, 1769, and on April 15, certain land to George Morgan and Samuel Wharton. Wilkins was to receive one-seventh part. The statement is sworn to at Fort de Chartres, June 25, 1769. Record of Deeds, p. 131, Kaskaskia Records, British Period.

[99] MS. Court Record, p. 21.

[100] *Ibid.*, p. 22.

[101] *Ibid.*, p. 28.

Establishment of the Country does not admit of Tryals by Juries on account of its Small number of Inhabitants as Well as their Want of Knowledge of the Laws and Customs of England. I do hereby therefore Further Authorize and Impower the Said Court to Hear, Try and Determine in a Summary Way all Disputes, Controversys and Debates Brought before them whether the Same be Assaults, etc., upon the Person or Trespass upon the Property of the Inhabitants of the Country aforesaid, and to impose and bring such Fines and Inflict such Corporate Punishment or commit Offenders to Jayle at the discretion of the said Court . . . "[102] A little later we find him complaining that the people are not sufficiently interested to consent to serve as justices.[103]

In the early period of the history of the court cases between French and English were generally decided in favor of the latter; but with the change in its composition this partiality in favor of Englishmen vanished,[104] and with it

[102] MS. Court Record, p. 23. It will be observed that trial by jury was not introduced into Illinois at this time. The contrary has, however, been generally stated by historians of the period. Justin Winsor writes that the "severest wrench to the feelings of the French . . . came with the establishment, under orders from Gage, of a court and jury according to English usage . . . ", *Westward Movement*, 40. The same statement is made by Wallace, *Ill. and La. under French Rule*, 396, Davidson and Stuvé, *Complete Hist. of Ill.*, 165, and Moses, *Ill., Hist. and Stat.*, I, 140. In a later work Moses takes the other and more correct view, although adducing no proof. See "Court of Enquiry", in *Chicago Hist. Soc. Colls.*, IV, 292. In addition to the testimony of Wilkins and the court record itself, we have the statement of Butricke, an eye-witness, that the court was "to determine on all causes of debt, without a Jury", letter to Barnsley, February 17, 1769, *Hist. Magazine*, VIII, 262.

[103] Proclamation by Wilkins, March 4, 1770, concerning the justices of the peace at Fort de Chartres, Kaskaskia Records, British Period.

[104] Out of twenty-one cases heard between December 6, 1768, and June 6, 1770, of which there is record (pp. 5–10 of the record being gone), eleven were between English and French, the former winning nine decisions. Of the other two, one decision was given in favor of

disappeared in a measure evidences of national antagonism. In place of the latter came the formation of two new parties, one headed by Wilkins and his secretary, Rumsey, and the other by Morgan, which was composed of the greater portion of the discontented French. The genesis of these factions is found in the definite break between court and commandant on June 6, 1770, when the judges acted contrary to the wishes and orders of the commandant. The court in one instance ordered the sale for debt of a house belonging to Captain Philip Pittman,[105] which was contrary to the explicit order of Wilkins.[106] Another cause of friction was the decision of the judges to hold the future sessions of the court at Kaskaskia.[107] Until March, 1770, the sessions had been held alternately at Kaskaskia and Chartres village, but after that date they were held at Chartres village only.[108] The change to Kaskaskia was very inconvenient to the commandant, since his home was at Fort de Chartres.

On the same day, June 6, Joseph L'Esperance, an attorney-at-law, complained to the court of his inability to obtain writs of attachment for which he had applied to the commandant and his secretary.[109] The complainant further alleged that one of the writs prayed for was at the instance of his client, George Morgan, president of the court, and

one Daniel Bloüin, a son-in-law of Charleville, and a person always favored by the English. Four cases were between Englishmen, and six involved Frenchmen alone, in which Bloüin was either defendant or plaintiff and won every decision. MS. Court Record, *passim.*

[105] The same Pittman who wrote *Present State of the European Settlements on the Miss.*

[106] MS. Court Record, pp. 38ff. [107] *Ibid.*, pp. 37ff.

[108] Chartres village, December 6, 1768; Kaskaskia, January 2, 1769; Chartres village, April 4, 1769; Kaskaskia, May 3, 1769; Chartres village, November, 1769; Kaskaskia, December 5, 1769; Chartres village, February 6, March 6, April 3, June 5, 1770; Kaskaskia, June 6, 1770.

[109] MS. Court Record, p. 45.

Morgan then added his testimony to the effect that on several occasions since the 14th of May he had applied in vain to Wilkins for a similar writ.[110] In consequence of these relations the court drew up and unanimously adopted a memorial to the commandant, setting forth that his action was very prejudicial and unfair to creditors and praying that he might not interfere with the course of justice.[111] The court then adjourned to meet the following month,[112] but there is no record of any further meetings after June 6. Presumably Wilkins abolished the institution which no longer supported him. The importance of the details connected with the termination of the court will be seen in a later chapter in connection with the movement inaugurated by the French for the establishment of a civil government in Illinois.

Side by side with the court of judicature there grew up another method of settling civil disputes, by what were termed courts of inquiry, composed of military officers. A court of inquiry was called January 13, 1769, to settle certain disputes between the merchant, George Morgan, and a number of complaining Frenchmen. It continued until January 20, and the result was satisfactory to neither party.[113] Another court was convened September 24, 1770 to adjust difficulties between Baynton, Wharton and Morgan and Richard Bacon.[114] The details of the hearing afford further evidence of the existence of factional strife between the Morgan and Wilkins parties.

[110] MS. Court Record, p. 45. [111] *Ibid.* [112] *Ibid.*, p. 46.

[113] *Hist. Magazine*, VIII, 270.

[114] The complete record of the proceedings has been printed by Moses, in *Chicago Hist. Soc. Colls.*, IV, 294–356. Moses states that he obtained a manuscript copy from the Wisconsin Historical Society Library, but Dr. Thwaites, the secretary, finds no such papers there now. There is, however, a manuscript copy in somewhat different form, in the Division of Public Records of the Pennsylvania State Library.

Wilkins had his share of trouble with the Indian problem. There were constant rumors of war [115] and of attacks upon the Illinois post, [116] and murders of whites became frequent in the vicinity of Fort de Chartres. [117] It was therefore necessary to be on guard continuously against a possible surprise. Moreover, after the year 1768, the commandant was forced to look after the local management of Indian affairs; for in

[115] Gage to Hillsborough, January 5, 1769, Dartmouth Papers, *Fourteenth Report, Royal Hist. MSS. Com.*, Appendix X; same to same, February 3, 1767, *ibid.*; same to same, February 4, 1769, P. R. O., Am. and W. I., vol. 125; Johnson to Hillsborough, June 26, 1769, *N. Y. Col. Docs.*, VIII, 173; same to same, August 26, 1769, *ibid.*, 184–185; Gage to Hillsborough, August 12, 1769, P. R. O., Am. and W. I., vol. 125; same to same, September 9, 1769, *ibid.* A congress of all the western and southern Indians was held on the Scioto River in the summer of 1768, where the Delaware and Shawnee Indians attempted to form a general union against the English. See Gage to Hillsborough, September 9, 1769, P. R. O., Am. and W. I., vol. 125; Gage to Haldimand, August 28, 1770, B. M., Add. MSS., 21, 664, fol. 178, and Hillsborough to Johnson, November 15, 1770, *N. Y. Col. Docs.*, VIII, 254.

[116] Butricke to Barnsley, June 25, 1769, *Hist. Magazine*, VIII, 270ff.; Gage to Hillsborough, October 7, 1769, P. R. O., Am. and W. I., vol. 125; Johnson to Gage, April 6, 1770, Johnson MSS., vol. XVIII, no. 266; Gage to Johnson, April 16, 1770, Gage's Letters; Hillsborough to Gage, June 12, 1770, P. R. O., Am. and W. I., vol. 126; Gage to Hillsborough, December 4, 1771, P. R. O., Am. and W. I., vol. 128. In addition to the Indian troubles, the English residents and soldiers had to contend with a most distressing sickness during the years 1768–1770. At one time, late in 1768, nearly all the soldiers were ill with fevers peculiar to that locality. See Morgan's MS. letter book, *passim*; Morgan to Baynton and Wharton, October 30, 1768, Division of Pub. Records, Pa. State Library; same to John Baynton, October 30, 1768, *ibid.*; Butricke to Barnsley, February 12, 1769, *Hist. Magazine*, VIII, 262.

[117] Morgan to Baynton and Wharton, April 24, 1769, Division of Pub. Records, Pa. State Library; Gage to Hillsborough, August 18, 1770, P. R. O., Am. and W. I., vol. 126; Gage to Johnson, September 3, 1770, Gage's Letters; Gage to Hillsborough, September 3, 1771, P. R. O., Am. and W. I., vol. 127; *Pa. Packet and General Advertiser*, April 6, 1772, containing letters from Kaskaskia, June 14, 1771; Gage to Johnson, August 14, 1771, Gage's Letters; same to same, September 10, 1771, September 24, 1774, *ibid.*; Gage to Hillsborough, October 1, 1771, P. R. O., Am. and W. I., vol. 128.

that year the home government withdrew all the special Indian agents from the various posts in consequence of the transference of the management of the Indians to the colonies.[118] Edward Cole, Indian commissary in Illinois, left early in 1769,[119] and with him went others employed in the Indian service.[120] Thus was additional work imposed upon the military department. The significance of the change, moreover, was not lost upon the Indians, who looked upon it as another evidence of the negligence of the British government.[121] Wilkins succeeded, however, in keeping the large body of Indians pacified.[122] The murder of Pontiac by an Indian in 1769[123] led to a civil war among themselves,[124] which turned their attention from the white settlers.

Wilkins's relations with the Roman Catholics were apparently amicable, a large part of the regiment stationed at

[118] Hillsborough to Johnson, April 15, 1768, *N. Y. Col. Docs.*, VIII, 57, 58; Johnson to Hillsborough, October 23, 1768, *ibid.*, 105–106; same to same, February 15, 1769, *ibid.*, 151.

[119] Cole to Johnson, June 13, 1769, Johnson MSS., vol. XVII, no. 189. There was considerable dissatisfaction with Cole's management of Indian affairs on the ground of his alleged extravagance. See Maturin (Gage's secretary) to Baynton, Wharton and Morgan, May 7, 1768, Division of Pub. Records, Pa. State Library.

[120] Return of people employed in the Indian Department at the Illinois (1767):

A Commissary	L 200 Sterling.
A Gunsmith	L 100 "
An Interpreter	L 80 "
A Doctor	L 80 "
	L 460

[121] Johnson to Hillsborough, October 23, 1768, *N. Y. Col. Docs.*, VIII, 105–106; same to same, *ibid.*, VII, 151.

[122] Gage to Hillsborough, August 12, 1769, P. R. O., Am. and W. I., vol. 125; same to same, August 18, 1770, *ibid.*, vol. 126.

[123] Cole to Johnson, June 13, 1769, Johnson MSS., vol. XVII, no. 189; Gage to Johnson, August 6, 1769, Gage's Letters.

[124] Gage to Hillsborough, August 12, 1769, P. R. O., Am. and W. I., vol. 125; Gage to Johnson, July 15, 1771, Gage's Letters.

Fort de Chartres being members of the Roman Catholic church. The legal position of the church had been well defined by the treaty of Paris and by succeeding documents, and on the whole the course pursued by the English government toward the Catholics of Illinois was an honorable one. In the Illinois country the Jesuits had had charge of the parish at Kaskaskia and of the mission among the Indians of the same name. By a royal decree in 1764 the Jesuit order in France and its dependencies was abolished, and the decree was executed in the Illinois country in the same year,[125] the property being confiscated for the use of the French king.[126] Not only did the Jesuits leave, but the Sulpitians likewise abandoned their parishes,[127] so that at the beginning of the British occupation not a single priest was in the country. Father Meurin, however, one of the expelled priests, obtained leave to return to minister to the abandoned parishes.[128] Illinois had always been attached to the bishopric of Quebec, and in 1768 Bishop Briand of Quebec made Father Meurin his vicar-general in Illinois.[129] But owing to his age and ill-health, and the widely scattered parishes, it was impossible for Meurin to carry on the work

[125] The best contemporary account of this incident is in *Bannissement des Jésuites de la Louisiane*, September 3, 1764, in *Jesuit Relations*, ed. Thwaites, LXX, 211–301.

[126] General Gage complained that the sale was illegal, because made after the treaty of cession of 1763, Gage to Conway, June 24, 1766, P. R. O., Am. and W. I., vol. 122.

[127] M. Forget, the only remaining priest of that order in 1764, sold the property at Cahokia and carried the proceeds with him, although his action was opposed by many of the inhabitants, Sterling to Gage, December 15, 1765, P. R. O., Am. and W. I., vol. 122; Meurin to Bishop Briand, June 11, 1768, *Jesuit Relations*, ed. Thwaites, LXXI, 37.

[128] *Bannissement des Jésuites de la Louisiane*, September 3, 1764, *Jesuit Relations*, ed. Thwaites, LXX, 291; Shea, *Life of Archbishop Carroll*, 113.

[129] *Ibid.*, 116.

alone. The English authorities made efforts to secure an additional priest[130] but without success. In 1768, however, Bishop Briand sent Father Pierre Gibault, who took up his residence at Kaskaskia, Meurin retiring to the less populous parish of Cahokia.[131] Throughout the entire British period we find little or no complaint by church officials of the attitude of the English government. Although politically the French had much to complain of during the first five years of British rule, their religious privileges were accorded them at all times.

[130] Gage to Conway, June 24, 1766, P. R. O., Am. and W. I., vol. 122.

[131] Shea, *Life of Archbishop Carroll*, 125. Father Meurin had not had a very happy experience with the Kaskaskians. They refused to pay their tithes, and in numerous other ways showed him disrespect. He tells us that the people had lost their piety almost entirely during the years of chaos incident to the removal of the Jesuits and the arrival of the British, Meurin to Bishop Briand, June 11, 1768, *Jesuit Relations*, ed. Thwaites, LXXI, 41ff.; Shea, *Life of Archbishop Carroll*, 114–129.

CHAPTER V.

Trade Conditions in the Illinois Country, 1765–1775.

The peltry trade had been one of the chief elements in the rivalry between France and England in the Ohio and Mississippi valleys. It was the main support of the French government in Canada and now that the English were in possession of the great peltry districts the management of the trade deserved most serious consideration. It was becoming of increasing importance to the manufacturing monopoly of the mother country, and therefore, in the minds of English statesmen, deserved far more attention than did the few thousand French colonists scattered throughout the West. The desire to increase this branch of commerce dictated in large measure those clauses in the proclamation of 1763, which forbade the formation of settlements or the purchase of lands within the Indian reservation, but which at the same time declared that trade with the Indians should be free and open to all English subjects alike. Again, the plan proposed in 1764 related solely to the management of the Indians and to the regulation of the trade with a view to making the English monopoly of intrinsic value to the empire. Even towards the close of the period under consideration there was little or no change of policy so far as official utterances are concerned. In 1772, in a report to the crown, the Lords of Trade made the following declaration: "'The great object of colonizing upon

the continent of North America has been to improve and extend the commerce, navigation, and manufactures of this kingdom . . . it does appear to us, that the extension of the fur trade depends entirely upon the Indians being undisturbed in the possession of their hunting grounds; that all colonizing does in its nature, and must in its consequences, operate to the prejudice of that branch of commerce.' . . . 'Let the savages enjoy their deserts in quiet . . . Were they driven from their forests the peltry trade would decrease.'"[1]

Under the French régime the western Indians and their trade had been managed with greater success than had the tribes living under English influence. The success of France was due largely to her policy of centralization, combined with the genial character of the French fur trader and the influence of the missionary. The English, on the contrary, had managed their relations with the Indians through the agency of the different colonies, without a semblance of union or cooperation, each colony competing for the lion's share of the trade, a policy which resulted disastrously to the peace of the empire.

In 1755 the English government, under the influence of

[1] Franklin's *Works*, ed. Sparks, IV, 303–323. "I conceive that to procure all the commerce it will afford at as little expense to ourselves as we can is the only object we should have in view in the interior Country for a century to come." Gage to Hillsborough, November 10, 1770, P. R. O., Am. and W. I., vol. 126: "This Traffick was the Principal Benefit in View, in the Extent of Territory in N. America made by the late Peace." Conway to Gage, March 27, 1766, Conway's MS. letter book in Library of Congress. It may be noted, however, that some members of the government had serious doubts as to this policy. Such men as Shelburne favored an early opening of the country to colonization. See below, ch. VI. Shelburne, however, was also convinced that the management of the Indians and their trade should be considered first among American affairs. *Calendar of Home Office Papers*, 1766–1769, no. 348. For a similar view of Shelburne's in 1774 see *Parl. Hist.*, XVIII, 672.

Halifax, president of the Board of Trade, took over the political control of the Indians, and appointed two superintendents to have charge of the different nations.[2] A little later, in 1761, the purchase of Indian lands was taken out of the hands of the colonies and placed under the control of the home government.[3] No further change is to be noted until after the issue of the war was known, when the whole question was again taken under consideration. The most important step yet taken respecting the Indian and his concomitant, the fur trade, appeared in the proclamation of 1763, issued in October following the treaty of cession. Some of its provisions for the West have already been noted. In addition to reserving for the present the unorganized territory between the Alleghany Mountains and the Mississippi River for the use of the Indians, the government guaranteed the Indians in the possession of these lands by announcing in the proclamation that no governor or commander-in-chief would be allowed to make land grants within this territory, and further prohibited all land purchases and the formation of settlements by private individuals without royal consent. Trade within this reservation was, however, made free to all who would obtain a license from the governor or commander-in-chief of the colony in which they resided.[4]

The Indian trade now came to be regarded as British rather than colonial,[5] since its management was now directed by the central government. In the course of the

[2] Alvord, "Genesis of the Proclamation of 1763", in *Mich. Pioneer and Hist. Colls.*, XXXVI, 25.

[3] *Ibid.*

[4] *Can. Const. Docs., 1759–1791*, 122.

[5] Johnson to Lords of Trade, May 17, 1759, *N. Y. Col. Docs.*, VII, 375. Franklin pointed out the same thing in 1766. Franklin's *Works*, ed. Biglow, III, 429.

year following the issuance of the proclamation an elaborate plan was outlined by Hillsborough[6] comprehending the political and commercial relations of all the Indian territory.

According to the proposed scheme[7] British North America was to be divided, for purposes of Indian management, into two districts, a northern and a southern, each under the control of a general superintendent or agent appointed by the crown, the Ohio River being designated as the approximate line of division. In the northern district, with which we are here concerned, the regulation of such Indian affairs as treaties, land purchases, questions of peace and war, and trade relations was to be given into the hands of the superintendent who was to be entirely free from outside interference. Without his consent no civil or military officer could interfere with the trade or other affairs of any of the Indian tribes. Three deputies were to be appointed to assist the superintendent and at each post a commissary, an interpreter, and a smith were to reside, acting under the immediate direction of the superintendent and responsible only to him for their conduct. For the administration of justice between traders and Indians and between traders themselves, the commissary at each post was to be empowered to act as justice of the peace in all civil and criminal cases. In civil cases involving sums not exceeding ten pounds the commissary was to have summary jurisdiction, but an appeal might be taken to the superintendent. The Indian trade was to be under the direct supervision of the general superintendent. Traders who desired to go among the Indians to ply their trade could do so by obtaining a license from the province from which they came.

[6] See above, ch. II, pp. 16–17.

[7] *Can. Arch. Report*, 1904, 242; *N. Y. Col. Docs.*, VII, 637–641.

The region into which the traders intended to go was to be clearly defined in the license and each had to give bond for the observance of the laws regulating the trade. The superintendent, together with the commissary at the post and a representative of the Indians, was to fix the value of all goods, and traders were forbidden to charge more than the price fixed. For the still better regulation of the trade, it was to be centered about the regularly fortified and garrisoned forts. Regulations for the sale of land were also proposed: outside the limits of the colonies no individual or company could legally purchase land from the Indians unless at a general meeting of the tribe presided over by the superintendent.

The plan thus outlined by the ministry was never carried into effect by parliamentary action, although the superindents used the outline as a guide in their dealings with the Indians.[8] The original intention had been to levy a tax on the Indian trade to defray the expense of putting the scheme into operation, but it was found that the budget was already too greatly burdened,[9] and the Stamp Act disturbances which followed illustrated the probable inexpediency of imposing such a duty.[10]

The foregoing considerations serve to indicate the importance which the ministry attached to the Indian trade in general. But what of the trade in the Illinois country? This region had been one of the great centers of the Indian

[8] Practically all the provisions were adopted by the superintendents, "Representation of Lords of Trade on the State of Indian Affairs", March 17, 1768, *N. Y. Col. Docs.*, VIII, 24.

[9] Franklin's *Works*, ed. Bigelow, V, 38; Knox, *Justice and Policy of the Quebec Act*, 39; "Proposed Extension of Provincial Limits", *Can. Const. Docs., 1759–1791*, 381; Johnson to Gage, March 9, 1765, Parkman Coll., Pontiac–Miscell., 1765–1778.

[10] Knox, *Justice and Policy of the Quebec Act*, 39.

trade under the French régime; and in addition the French inhabitants had been one of the main supports of New Orleans since its foundation early in the century. The commercial connection between the Illinois villages and New Orleans had never been broken, and at the time of the occupation of Illinois in 1765, French fur traders and merchants still plied their traffic up and down the Mississippi River. Now that the title to this trade centre had passed to England it was expected that the volume of trade would be turned eastward up the Ohio River. The necessity for this was patent if any material benefits were to accrue to the empire from the cession, for failure to carry out the plan would leave the country a dead weight on the empire.

The home and colonial authorities early saw the importance of turning the course of the trade. They hoped and expected that a trade would be opened with the Indians in and about the Illinois country immediately after the active occupation by the English troops.[11] A large number of individual traders were early aware of this and representatives of some of the large trading companies of the East were also preparing to take advantage of the opening of the West to trade. In 1765 Fort Pitt became the great rendezvous for this element. From this point traders, with their cargoes to exchange for the Indians' furs, followed the army to Fort de Chartres as soon as the season of the year would permit.

Among the more prominent figures was George Morgan, a member of the firm of Baynton, Wharton and Morgan, and the company's personal representative in the Illinois country. Other representatives of the company left Fort Pitt in March of the same year with a large cargo of goods,

[11] Johnson to Governor Penn, April 12, 1765, Johnson MSS., vol. X, no. 190.

which reached Fort de Chartres during the summer.[12] Firms such as Franks and Company of Philadelphia and London, and Bentley and Company of Manchac, on the lower Mississippi, also traded extensively in the Illinois region during the following years; all the larger British companies becoming rivals for that portion of the Indian trade which the English were able to command. Other and perhaps greater sources of profit to the English merchants lay in the privilege of furnishing the garrison with provisions[13] and the Indian department with the goods for Indian presents.[14] Although the houses of Baynton, Wharton and Morgan, and of Franks and Company were usually competitors for the former privilege, the latter company generally had the monopoly.[15] On the other hand Baynton, Wharton and Morgan derived their greatest profits from the sale of enormous quantities of goods to the government through the Indian department for distribution among the Indians accustomed to assemble at the Illinois villages.[16] But whether all these houses received profits commensurate with the risks undertaken is problematical.[17]

In the Indian trade, in which all the merchants were in-

[12] Five bateaux loaded with goods under the command of John Jennings, sailed from Fort Pitt, March 9, 1765. Joseph Dobson to Baynton, Wharton and Morgan, March 9, 1765, MS. letter in Hist. Soc. Pa. Library. In 1767 the firm wrote: "Our Speculation has been attended with the most favorable circumstances to his Majesty's Interest, As we are the only English Merchants who have ventured to forward British Merchandize to the Illinois Country; Whereby the King's Agents have been enabled, in some Degree to counteract the French and Spanish on the opposite side of the Mississippi." Baynton, Wharton and Morgan to Macleane, October 9, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXVI. The best sources of information for the company's methods and operations in the West are Morgan's MS. letter book and the firm's papers in the Division of Pub. Records, Pa. State Library.

[13] Morgan's MS. letter book. [14] *Ibid.* [15] *Ibid.* [16] *Ibid.*

[17] Gage wrote in 1770 that the "Company from Philadelphia [Baynton, Wharton and Morgan] failed in the Illinois trade", Gage to Hillsborough, December 7, 1770, P. R. O., Am. and W. I., vol. 126.

terested, they not only had to compete with each other and with independent English traders, but with the French and Spanish who had not ceased to ply their trade among their old friends the Indians. This continuance of foreign traders in British territory was probably the most serious problem in the trade situation. Not only did it affect English traders but the interests of the empire itself were seriously threatened by the presence within its limits of unlicensed foreign traders. It is therefore evident that the close of hostilities between France and England in 1763 and the formal transfer of Canada and the West to Great Britain by no means closed the intense rivalry between the fur-trading elements of the two nations for predominance in the western trade. It rather accentuated it. As has already been suggested, France, until the cession of the West, had naturally possessed the dominant influence among the savages of the Mississippi Valley and Canada, and consequently the monopoly of the fur trade accrued to her subjects. In the upper Ohio River region and among the tribes bordering on or living within the limits of the English colonies, the British, during the first half of the eighteenth century, were either strong rivals of the French or were completely dominant. It was therefore generally expected that after the cession of the West the British would inherit the influence of the French among the Indians and succeed to the monopoly of the fur trade just as Great Britain had succeeded to the sovereignty of the territory itself. But the conspiracy of Pontiac, due in large part to the machinations of the French traders, postponed for a considerable period the entry of the British traders, during which time the French became more strongly entrenched than ever in the affections of the savages.

The French methods of trade had from the beginning

been different from those pursued by their neighbors and rivals. The government divided the Indian country into districts corresponding to the divisions recognized by the Indians themselves, and licenses were adapted to the several "hunts" with reference to the customs and habits of the natives.[18] Traders were absolutely forbidden under severe penalties to trade or hunt beyond the limits of their respective districts.[19] The traders, moreover, lived among the Indians, affected their manners, treated them kindly and respectfully, and supplied all their wants, and the missionary, the connecting link between the two races, was ever present. This association of religion which was one of the causes of the success of the French in gaining such a permanent foothold in the affections of the Indians, was entirely absent in the British relations with that race. The English traders were in general unscrupulous[20] in their dealings with the savages and deficient in that tact which enabled Frenchmen to overcome the natural prejudice of the Indian and acquire an interest with him which would be difficult to sever. In that section of the Indian country where the influence of Great Britain was such that her traders could go among the Indians, there was always considerable dissatisfaction on account of the methods employed by a large number of independent and irresponsible traders. Many carried large quantities of rum, some dealing in nothing else.[21] English traders frequently attended public

[18] Pownall, *Admin. of the Cols.*, 187. [19] *Ibid.*

[20] Johnson to Hillsborough, October 23, 1768, *N. Y. Col. Docs.*, VIII, 105-106; same to Shelburne, *ibid.*, VII, 929; same, "Review of the Trade and Affairs of the Indians", September, 1767, *ibid.*, 955, 960, 964; same to Lords of Trade, *ibid.*, 987; Johnson to Carleton, January 27, 1767, Can. Arch., series Q., vol. 4, p. 115.

[21] Johnson to Hillsborough, August 14, 1770, *N. Y. Col. Docs.*, VIII, 226. See extract from "Ponteach, or the Savages of North America: A Tragedy", in Parkman, *Conspiracy of Pontiac*, II, 344ff.

meetings of Indians, gave them liquor during the time for business, and defrauded them of their furs.[22] This abuse was one of the great causes of complaint against British traders.[23] Indeed wherever they participated in the trade, its condition was deplorable. Many of the independent traders had little or no credit so that the legitimate merchants suffered as well as the Indians.[24] The unlicensed traders adopted various expedients to draw trade from each other, such as selling articles below first cost, thus ruining a large number of merchants.[25] Fabrications dangerous to the public were frequently created to explain the prices and condition of goods.[26] But probably more injurious still to imperial interests, was the fact that whole cargoes of goods were sometimes sold by English firms to French traders, thus enabling the latter to engross a great part of the trade, and depriving the empire of the benefit of the revenue accruing from the importation of furs into England. This practice was probably followed to a greater degree in the farther West,[27] where the French continued to have a monopoly in the trade long after the English occupation.

It had been expected that the Illinois villages would be the center of trade for the English side of the upper Mississippi Valley[28] just as it had been one of the centers dur-

[22] Johnson to Hillsborough, August 14, 1770, *N. Y. Col. Docs.*, VIII, 226.

[23] Johnson to Hillsborough, April 4, 1772, *ibid.*, 292.

[24] Johnson, "Review of the Trade and Affairs of the Indians", September, 1767, *ibid.*, VII, 964–965. [25] *Ibid.* [26] *Ibid.*

[27] Gage to Shelburne, January 17, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXVII; Johnson to Lords of Trade, November 16, 1767, *N. Y. Col. Docs.*, VII, 776; Croghan to B. Franklin, January 27, 1767, Sparks MSS., V, vol. I, p. 46. Croghan, writing from New York, says that "persons here of no inconsiderable Consequence supply the French at New Orleans with Goods to carry on their Contraband Trade in the Illinois Country." *Ibid.*

[28] Lords of Trade to Johnson, *N. Y. Col. Docs.*, VII, 635.

ing the French regime. But the British were not so well situated to command the trade as the French had been. Previous to this time the trade of the Missouri River region had centered at the Illinois posts, but after the cession of the West to England and the foundation of St. Louis by Laclede in 1764, the latter place drew all the trade west of the Mississippi. Moreover, except for the few tribes of Illinois Indians in the immediate vicinity very few savages found their way to Fort de Chartres for trading purposes. English traders, on the other hand, did not trust themselves far beyond this narrow circle,[29] but their French and Spanish rivals from Louisiana, many of whom formerly lived in the Illinois country, carried on a trade in all directions both by land and by water.[30] They ascended the Ohio, Wabash, and Illinois rivers[31] and crossed the Mis-

[29] "Information of the State of Commerce given by Capt. Forbes, 1768", P. R. O., Am. and W. I., vol. 125. General Gage declared in 1770 that the posts had failed as centers of trade. Gage to Hillsborough, November 10, 1770, *ibid.*, vol. 126.

[30] Gordon's "Journal down the Ohio", 1766, MS. in Hist. Soc. Pa. Library; Lieutenant Geo. Phyn to Johnson, April 15, 1768, Johnson MSS., vol. XXV, no. 109. Morgan complained in 1767 that the great number of French hunters who went up the Ohio from New Orleans had almost exterminated the buffalo. Morgan to Baynton and Wharton, December 10, 1767, Morgan's MS. letter book.

[31] Morgan to Baynton and Wharton, December 10, 1767, Morgan's MS. letter book; Gage to Shelburne, April 24, 1768, P. R. O., Am. and W. I., vol. 124; Gage to Hillsborough, April 24, 1768, *ibid.* Early in 1768 the Indians attacked a party of Frenchmen crossing the country from Vincennes with eight horses loaded with peltry, Morgan to Baynton and Wharton, April 10, 1768, Morgan's MS. letter book. On April 23, 1768, Morgan again writes: "A single boat has just arrived at Misere (St. Genevieve) loaded with Wine, Taffia and Brandy, . . four other Boats were to leave New Orleans Eight Days after. What their Cargoes consist of I cannot exactly learn but I fear chiefly Liquors. On their Arrival and their Cargoes Will greatly depend the Sales we shall make this Spring." MS. letter book. "They are even so impudent as to wear English Colours up the Ohio on Acct. of the Cherokees", Morgan to Baynton and Wharton, December 10, 1767, *ibid.*

sissippi River above the Illinois, plying their traffic among the tribes in the region of the Wisconsin and Fox rivers.[32] This was probably the most productive area in the Mississippi Valley in the supply of fur-bearing animals. The Mississippi River northward from its junction with the Illinois was also considered especially good for the peltry business, the otter, beaver, wolf, cervine, and martin being found in abundance,[33] but the British traders dared not venture into that quarter.[34] The loss of this trade, however, cannot be attributed altogether to their misconduct, for the French had never allowed it to pass from their own hands. The latter continued to intrigue with the Indians throughout the greater part of this period just as they had done prior to 1765. As we have seen they pointed out to the savages how they would suffer from the policy of economy practised by the British government.[35] Thus by giving presents and by circulating stories and misrepresentations the French subjects of Spain attempted to checkmate every move of

[32] Gage to Hillsborough, November 10, 1770, P. R. O., Am. and W. I., vol. 125; Hutchins, "Remarks upon the Country of the Illinois, 1771", MS. in Hist. Soc. Pa. Library. It may be noted that during the French régime the French-Canadians traded extensively in this region. See Gage's "Report on the State of the Government of Montreal", *Can. Const. Docs., 1759–1791*, 69–72.

[33] Wilkins to Barrington, December 5, 1769, P. R. O., Am. and W. I., vol. 125; Gage to Hillsborough, November 10, 1770, *ibid.*, vol. 126.

[34] "To ascend the Mississippi or Illinois Rivers with Goods would be certain Death, so great is the Influence of the French there." Morgan to Baynton and Wharton, December 10, 1767, MS. letter book. Lieutenant Hutchins, an English engineer, who spent a year in the Illinois country, stated that the "Peltries in general that are sent from the British Side are obtained from the French Traders on the Spanish Shore, as no Englishman can with safety venture among the Savages." Hutchins, "Remarks upon the Country of the Illinois", MS. in Hist. Soc. Pa. Library.

[35] Johnson to Carleton, January 27, 1767, Can. Arch., series Q, vol. 4, p. 115.

the English.[36] The Indians were constantly reminded of bad designs on the part of England, and were encouraged with unauthorized promises of aid in case they should take up the hatchet in defense of their hunting grounds.[37]

This state of affairs continued throughout the greater part of the period, although it was probably modified to some extent after 1770. In answer to a number of vigorous protests from General Gage,[38] O'Reilly, the Spanish governor of Louisiana, issued an order to all the commandants in that colony to prohibit the inhabitants crossing the river in the pursuit of trade and whenever any excesses were committed to give satisfaction to the English commandant according to the laws of nations.[39]

During the first years of the British occupation there was considerable friction in the contact of the two alien peoples in the Illinois villages. In spite of the fact that the French who remained became subjects of Great Britain sharp competition existed for several years between the English and French residents in the vicinity of the villages.[40] The latter were on terms of friendship with the savages and could go

[36] Johnson to Hillsborough, February 18, 1771, *N. Y. Col. Docs.*, VIII, 263; same to same, October 23, 1768, *ibid.*, 105–106.

[37] Gage to Hillsborough, April 24, 1768, P. R. O., Am. and W. I., vol. 124. There was considerable apprehension among English officials throughout this period lest the Indians should be stirred up for an attack upon Canada. See Hillsborough to Carleton, November 4, 1769, Can. Arch., series Q, vol. 6, p. 121.

[38] Gage to Hillsborough, April 24, 1768, P. R. O., Am. and W. I., vol. 124; Gage to Shelburne, April 24, 1768, Dartmouth Papers, *Fourteenth Report, Royal Hist. MSS. Com.*, Appendix X.

[39] Order of O'Reilly, January 27, 1770, P. R. O., Am. and W. I., vol. 126.

[40] "Information of the State of Commerce in the Illinois Country, given by Captain Forbes, 1768", P. R. O., Am. and W. I., vol. 125. Morgan informed his partners that "a Number of French Merchants have combined against us and made Application to Captain Forbes and offered to supply the Crown at a much lower rate than we do." April 5, 1768, Morgan's MS. letter book.

into any part of the country without difficulty and those Indians who came to Fort de Chartres to trade generally preferred to deal with their trusted friends. The French often carried the packs of furs thus obtained across the river to St. Louis or transported them directly to the New Orleans market. Although the British merchants were occasionally able to pool their interests with the French residents, such cases were exceptional prior to 1770. In that year, however, General Gage informed the home government that "the competition between his Majesty's old and new Subjects is greatly abated and must by degrees subside, for if carried to extremes it would be very prejudicial to both."[41]

Naturally the large quantities of furs and skins obtained by such contraband trade as well as by the French residents of Illinois were taken directly to New Orleans and there embarked for the ports of France and Spain.[42] These foreign interlopers, however, only followed the route to which they had long been accustomed. On the other hand it was expected by the government that the traders who carried English manufactured goods down the Ohio River would return by the same route with their cargoes of peltry for the purpose of transporting them to England. But in this the government was disappointed. English traders and merchants followed the line of least resistance, the route down the Mississippi to New Orleans.[43] Moreover, the

[41] Gage to Hillsborough, November 10, 1770, P. R. O., Am. and W. I., vol. 126.

[42] Morgan to Baynton and Wharton, December 10, 1767, Morgan's MS. letter book. "The French in open Day and without the least Ceremony send their Peltries from hence to New Orleans or to the West Side of the Mississippi", *ibid.*

[43] Gage to Shelburne, January 17, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXVII.

New Orleans market was attractive, for peltries sold at a higher price there than in the British markets.[44] The tendency of the English traders and merchants to follow this course was discovered soon after the occupation.[45] In a communication to Secretary Shelburne in 1766 Gage informed the government that "It is reported that the Traders in West Florida carry most of their Skins to New Orleans, where they sell them at as good a price as is given in London. As I had before some Intelligence of this, the Officer commanding at Fort Pitt had orders to watch the Traders from Pensilvania who went down the Ohio in the Spring to Fort Chartres; and to report the quantity of Peltry they should bring up the Ohio in the Autumn. He has just acquainted me that the traders do not return to his Post, that they are gone down the Mississippi with all their Furrs and Skinns under the pretense of embarking them at New Orleans for England."[46] A few weeks later he wrote again in a similar strain: "That Trade will go with the Stream is a maxim found to be true from all Accounts that have been received of the Indian trade carried on in that vast Tract of Country which lies on the Back of the British Colonies; and that the Peltry acquired there is carried to the Sea

[44] Gage to Shelburne, December 23, 1766, *ibid.*; Johnson to Gage, January 29, 1767, Johnson MSS., vol. XIV, no. 35; Gage to Shelburne, February 22, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXII; Gage to Johnson, January 25, 1767, Johnson MSS., vol. XIV, no. 28; George Phyn to Johnson, April 15, 1768, *ibid.*, vol. XXV, no. 109; Gage to Dartmouth, May 5, 1773, P. R. O., Am. and W. I., vol. 128. Gage wrote in 1766 that skins and furs bore a price ten pence per pound higher at New Orleans than at any British market. Gage to Conway, July 15, 1766, *ibid.*, vol. 122.

[45] Gage to Conway, July 15, 1766, *ibid.* Remarks of Gage on Barrington's plan, May 10, 1766, Lansdowne MSS., vol. L, pp. 45-61.

[46] Gage to Shelburne, December 23, 1766, B. T. Papers (Hist. Soc. Pa.), vol. XXVII. In 1767, George Morgan informs his partners, Baynton and Wharton, that he will "send a Boat with a few Packs of Peltry to New Orleans". Morgan's MS. letter book.

either by the River St. Lawrence or River Mississippi."[47] Gage seemed to believe that the part which went down the St. Lawrence would be transported to England; but that the peltry passing through New Orleans would never enter a British port.[48] "Nothing but prospect of a superior profit or force will turn the Channel of Trade contrary to the above maxim."[49] "The Traders from these Colonies say that it will answer to carry Goods down the Ohio, but that it will not answer to return with their Peltry by the same Route, as they can get to the Sea at so much less expense, and greater expedition by means of the Rapidity of the Mississippi, and pretend that they have Ships at New Orleans to transport their Peltry to England."[50] ". . . the British Traders at the Illinois who carry their goods above three hundred miles by land before they have the convenience of Water Carriage cannot afford to return the same way with the produce of their Trade."[51] In this opinion Sir William Johnson likewise concurred.[52] Lieutenant John Phyn, of the British army, who spent some time at Fort de Chartres in 1768, also declared that "as long as New Orleans is in the hands of another power, the whole produce of that country must centre there. For our merchants will

[47] Gage to Shelburne, February 22, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXVII. Lieutenant-Governor Carleton of Canada complained that owing to the restraints on the fur trade in that colony, all the trade was going down the Mississippi, Carleton to Johnson, March 27, 1767, *Mich. Pioneer and Hist. Colls.*, X, 222–224.

[48] Gage to Shelburne, February 22, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXVII.

[49] *Ibid.*

[50] Gage to Shelburne, January 17, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXVII, For a similar view see Gage to Johnson, January 19, 1767, Johnson MSS., vol. XIV, no. 23, and Gage to Johnson, January 25, 1767, *ibid.*, no. 28.

[51] Gage to Hillsborough, November 10, 1770, P. R. O., Am. and W. I., vol. 126.

[52] Johnson to Gage, January 29, 1767, Johnson MSS., vol. XIV, no. 35; same to same, February 24, 1767, *ibid.*, p. 67.

always dispose of their peltry or whatever the country produces, at New Orleans where they get as good a price as if they were to ship them off." [53]

In 1768 some steps were taken toward the better regulation of the trade. In that year Captain Forbes, the commandant at Fort de Chartres, issued a placard forbidding the traders to send any peltry down the river without informing the commandant of the number of packs, and at the same time giving a bond of two hundred pounds sterling that they would land them in a British port.[54] At the same time General Gage served notice on Governor Ulloa of Louisiana to prohibit the inhabitants of that province from going up the Illinois, Ohio, and Wabash rivers. The commandant at Fort de Chartres was then given directions to scour the river with armed boats, and to make prisoners of all persons acting contrary to the order of Don Ulloa and to carry them to Fort Pitt.[55]

Conditions, however, grew no better as time went on. In 1773 we find Gage complaining that "the Trade of the Mississippi, except that of the upper parts from whence a portion may go to Quebec, goes down that River; and has, as well as everything we have done on the Mississippi . . . tended more to the Benefit of New Orleans than of ourselves." [56]

An examination of the customs returns for the period

[53] Phyn to Johnson, April 15, 1768, Johnson MSS., vol. XXV, no. 109.

[54] Forbes to Gage, April 15, 1768, P. R. O., Am. and W. I., vol. 124. This had been advised before by the trader and Indian agent, George Croghan. Croghan to Franklin, January 27, 1767, Lansdowne MSS., vol. XLVIII.

[55] Gage to Hillsborough, April 24, 1768, P. R. O., Am. and W. I., vol. 124; Gage to Johnson, August 14, 1768, Gage's Letters.

[56] Gage to Dartmouth, May 5, 1773, P. R. O., Am. and W. I., vol. 128.

from 1763 to 1775 indicates that the statements of English officials relative to the productivity of the West were not groundless. Instead of an increase in the number and value of furs and skins imported into England as a result of the French cession of the great fur-bearing regions of Canada and the Northwest, there is a decided decrease each year.[57] A diminution is likewise to be noted in the value of the exports from Canada during the same period.[58]

It is difficult to figure exactly what the loss to imperial interests was under these conditions. Furs and skins, however, being among the enumerated commodities[59] some loss certainly accrued to British shipping and to the government through loss of the duty, as well as to English manufactures. Although practically no peltries reached the Atlantic ports from the Illinois region, large quantities were carried to New Orleans. The few who have left any estimate of the amount of peltries exported to New Orleans agree in general that from five hundred to one thousand packs were shipped annually from the Illinois country.[60] According to the usual estimate five hundred

[57] The value, as given in P. R. O., Customs Accounts, vols. 64–68, of beaver skins exported from America from Christmas, 1763, to Christmas, 1768, was as follows:

1764, £28,067 S18	1767, £20,262 S 2
1765, £27,801 S11	1768, £18,923 S18
1766, £24,657 S 0	

[58] The total value of beaver skins exported from Canada in 1764 was 17,259 pounds sterling, and in 1768 it was 13,166 pounds sterling. P. R. O., Customs Accounts, vols. 64–68.

[59] *Parl. Hist.*, VII, 913–916.

[60] "An account of the exports from the Illinois from Sept., 1769 to Sept., 1770", in Hutchins's "Remarks upon the Country of the Illinois, 1771", MS. in Hist. Soc. Pa. Library:

From the British Territory:

Flour to New Orleans, 120,000 weight which may yield 4 Dollars pr Cwt. Sterling L 1120.

Peltries 550 Packs which on an average if no damage happen

packs were worth in New Orleans about five thousand five hundred pounds sterling.[61] At the same time the expense of maintaining the various posts and the Indian department was heavy. The Indian expenses at Fort de Chartres alone between September, 1766, and September, 1767, were more than six thousand pounds sterling.[62] In the following year the expenses for nine months in Indian affairs, fitting out an armed galley to prevent illicit trade, and in repairs on Fort de Chartres and new works of defense in expectation of an Indian rupture exceeded two thousand pounds sterling.[63]

to them may yield at London, Ten Pounds each Pack. 5,500 Pounds.
Total: Sterling L 6,620.
From the Spanish Territory:
Flour 15,000 Weight L 150
Peltries 835 Packs L 8350

L 8,500

Total value of the Exports in the year 1768: L 15,120.

The merchant Geo. Morgan declared that if proper regulations were adopted and enforced, 3000 packs per annum could be procured on the British side. Morgan to Baynton and Wharton, December 10, 1767, Morgan's MS. letter book. In 1763, 8000 packs of beaver peltry had been exported from New Orleans, Marsh to Haldimand, November 20, 1767, B. M., Add. MSS., 21,728.

[61] Hutchins, "Remarks upon the Country of the Illinois, 1771." From New Orleans, where all the western trade finally centered, it was estimated that peltries worth between 75,000 and 100,000 pounds sterling were sent annually to foreign ports. Gage estimated it at 80,000 pounds sterling, Gage to Shelburne, January 17, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXVII. "New Orleans remits one hundred thousand pounds Sterling worth of Peltry annually to France", Baynton, Wharton and Morgan to McLeane, October 9, 1767, *ibid.*, vol. XXVI.

[62] P. R. O., Audit Office, Declared Accounts, bundle 1530, roll 2, Indian Affairs. Gage estimated Commissary Cole's expense for the same period at ten thousand pounds sterling, Gage to Johnson, April 4, 1768, Gage's Letters.

[63] Gage to Hillsborough, October 7, 1769, P. R. O., Am. and W. I., vol. 125. In a speech in the House of Lords in 1783, in which he defended the cession of the Northwest to the United States, Lord Shelburne declared: "The exports of this country to Canada, then, were

There seems to have been unanimity of opinion respecting the commercial inutility of the Illinois and surrounding country under existing conditions. Effective though expensive measures would have to be taken to change the course of trade and to expel foreign traders. But General Gage was very doubtful about the probable efficiency of any further regulations. Early in 1767 he declared that it would "not answer to England to be at much expense about the Mississippi" so long as better prices prevailed at New Orleans.[64] Secretary Hillsborough took the same view a few years later, in an argument against the planting of western colonies: "This Commerce cannot . . . be useful to Great Britain otherwise than as it furnishes a material for her Manufactures, but it will on the contrary be prejudicial to her in proportion as other Countries obtain that

only 140,000 pounds and the imports were no more than 50,000 pounds. Suppose the entire fur trade sunk into the sea, where is the detriment to this country? Is 50,000 pounds a year imported in that article any object for Great Britain to continue a war of which the people of England, by their representatives, have declared their abhorence? . . . But much less must this appear in our sight, when I tell Parliament, and the whole kingdom, that for many years past, one year with another, the preservation of this annual import of 50,000 pounds has cost this country, on an average, 800,000 pounds. I have the vouchers in my pocket, should your lordships be inclined to examine the fact." *Parl. Hist.*, XXIII, 409.

[64] Gage to Johnson, January 19, 1767, Johnson MSS., vol. XIV, no. 23. Captain Forbes, commandant at Fort de Chartres during part of 1768, wrote to Gage: "As I am very sensible of the immense expense this Country is to the Crown and the little advantage the public has hitherto reaped by the trade with savages, and the reason is that the Inhabitants have continued to send their Peltry to New Orleans which is shipped from thence for Old France and all the money that is laid out for the Troops and Savages is immediately sent to New Orleans, for which our Subjects get French Manufactures. I hope, Sir, you will excuse me when I observe to Your Excellency, that the Crown of Great Britain is at all the expence and that France reaps the advantages." Forbes to Gage, April 15, 1768, P. R. O., Am. and W. I., vol. 124. Commandant Wilkins wrote the same year that "the French of New Orleans are the sole gainers in this Trade and the public suffer greatly thereby." Wilkins to Gage, September 13, 1768, *ibid.*

material from us without its coming here first; and whilst New Orleans is the only Port for Exportation of what goes down the Mississippi, no one will believe that that town will not be the market for Peltry or that those Restrictions, which are intended to secure the exportation of that Commodity directly to G. Britain, can have any effect under such circumstances." [65]

The original intention of the British government had been to use Fort de Chartres, on the east bank of the Mississippi between the Illinois and Kaskaskia rivers, to guard the rivers in order to prevent contraband trading.[66] But its inefficiency was soon apparent.[67] Although well constructed, its location was not strategic; it commanded nothing but an island in the river.[68] An indication to the Indians of British dominion[69] and a place of deposit for English merchants[70] constituted about the sum total of its efficiency. In order to make the Illinois country effective as a barrier against foreign aggression and to keep the trade in

[65] Hillsborough to Gage, July 31, 1770, *ibid.*, vol. 126.

[66] Gage to Shelburne, April 3, 1767, *ibid.*, vol. 123.

[67] Gage to Johnson, February 8, 1767, Johnson MSS., vol. XIV, no. 44; Remarks by Gage on Barrington's plan, May 10, 1766, Lansdowne MSS., vol. L, p. 53.

[68] "It has not the least command of the River, owing to an Island which lies exactly opposite to it, and the Channel is entirely on the other side for a great part of the year. This is impassible from a sand bar which runs across even for small boats, and the French and Spaniards on the other side pass and repass at pleasure with contraband goods, forcing an illicit Trade, to our great disadvantage and a certain and very considerable loss to His Majesty's Revenue." Commandant Wilkins to Secretary-at-War Barrington, December 5, 1769, P. R. O., Am. and W. I., vol. 123. See also Morgan to Baynton and Wharton, April 24, 1769, Division of Pub. Records, Pa. State Library.

[69] Gordon's "Journal down the Ohio, 1766," MS. in Hist. Soc. Pa. Library; Gage to Johnson, February 8, 1767, Johnson MSS., vol. XIV, no. 44; Hillsborough to Gage, July 31, 1770, P. R. O., Am. and W. I., vol. 126.

[70] Gage to Hillsborough, June 16, 1768, *ibid.*, vol. 124.

English hands, it was necessary to adopt measures looking toward the closing of those natural entrances into the country, the mouths of the Illinois and the Ohio rivers.[71] Almost all the correspondence of the time relating to Illinois, contains references to the practicability of erecting forts at the junctions of the Illinois and Ohio rivers with the Mississippi. In most cases this was insisted upon as the only practicable measure to make the country of value.[72] Suggestions were also offered relative to the erec-

[71] Gage to Shelburne, April 3, 1767, *ibid.*, vol. 123; Johnson, "Review of the Trade and Affairs of the Indians," *loc. cit.*; Morgan to Baynton and Wharton, December 10, 1767, Morgan's MS. letter book. "A Post up the Mississippi at or near the Ilinois River might leave to us the greater part of the Trade that is now carried to the Settlements on the other side." Hutchins, "Remarks upon the Country of the Ilinois, 1771", MS. in Hist. Soc. Pa. Library. George Croghan wrote: "With respect to the building some new Forts there—I conceive they are indispensably necessary, One at the Mouth of the Illinois and one on the Wabashe; as they would effectually prevent the French and Spaniards from entering into the Indian Country and thereby seducing the trade from us, to France and Spain. Croghan to Franklin, January 27, 1767, Lansdowne MSS., vol. XLVIII, fol. 135.

[72] Gage to Halifax, August 10, 1765, Dartmouth Papers, *Fourteenth Report, Royal Hist. MSS. Com.*, Appendix X, p. 17; Gage to Conway, July 15, 1766, P. R. O., Am. and W. I., vol. 122. "As for the Post at, or near the conflux of the Ohio and Mississippi, I have now that affair under consideration, and sent the Chief Engineer about six weeks ago to survey all that Country." Gage to Brigadier Taylor of Pensacola, June 26, 1766, B. M., Add. MSS., 21,662, fol. 220. See also Gordon's "Journal down the Ohio, 1766", MS. in Hist. Soc. Pa. Library; Gage to Johnson, January 25, 1767, Johnson MSS., vol. XIV, no. 28; same to same, February 8, 1767, *ibid.*, no. 44; Gage to Shelburne, January 17, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXVII; same to same, April 3, 1767, P. R. O., Am. and W. I., vol. 123; Johnson, "Review of the Trade and Affairs of the Indians," *loc. cit.*; Morgan to Baynton and Wharton, December 10, 1767, Morgan's MS. letter book; Phyn to Johnson, April 15, 1768, Johnson MSS. vol. XXV, no. 109; Wilkins to Gage, September 13, 1768, P. R. O., Am. and W. I., vol. 124; Wilkins to Barrington, December 5, 1769, *ibia.*, vol. 125; Gage to Hillsborough, November 10, 1772, *ibid.*, vol. 126. The merchant Morgan wrote from Fort de Chartres in 1768 that "nothing is wanting but proper Posts at the Illinois River, St. Vincents and Manchac, a Civil Government and encouragement to Settlers from the Frontiers of Pennsylvania, Maryland and Virginia to make this a most

tion of a fort on the Mississippi river above its junction with the Illinois for the protection of that section of the peltry district.[73] Moreover, projects were likewise proposed for the establishment of proprietary colonies on the Ohio and Illinois rivers.[74] Gage himself suggested that all the French villages along the Mississippi be amalgamated into one settlement, which would also be the center of the military establishment, and from which detachments could be sent out to guard the rivers and prevent British traders from descending the stream to New Orleans and likewise watch for foreign interlopers.[75]

At one time it was the hope of such men as Gage, Johnson, Haldimand, and Hillsborough that the opening of the Iberville River would prove feasible, thus enabling English vessels to reach the British ports of West Florida through lakes Maurepas and Pontchartrain without going by way of New Orleans. This would necessitate the maintenance of a post at the junction of the Iberville and Mississippi rivers in order to turn English boats into the proposed channel. Numerous surveys were made and at one time the work of clearing the channel was actually begun.[76]

flourishing Colony. Without these means taken 'tis not worth keeping possession of as to any immediate Advantage resulting therefrom, As the English Nation is now at the whole expence of maintaining the Country and France reaps all the benefits from the Trade . . . " Morgan's MS. letter book.

[73] Gordon's "Journal down the Ohio, 1766", MS. in Hist. Soc. Pa. Library; Morgan to Baynton and Wharton, December 10, 1767, Morgan's MS. letter book. "It is acknowledged by the French themselves, that should a Settlement be made at Cape au Gres on the Mississippi, about 250 miles above the Illinois river, those on the French side would be ruined as it would draw and intercept the Trade of the upper Mississippi." Hutchins, "Remarks upon the Ilinois Country, 1771", MS. in Hist. Soc. Pa. Library.

[74] See below, ch. VI.

[75] Gage to Hillsborough, June 16, 1768, P. R. O., Am. and W. I., vol. 124.

[76] Gage to Taylor, June 10, 1766, B. M., Add. MSS., 21,662, fol.

None of these projects, however, were ever adopted. One of the principal reasons for this apparent neglect may well be summed up in a statement by Hillsborough, who appeared by 1770 to have given up the hope of any immediate advantages from the West. He declared in that year that under existing conditions "Forts and Military Establishments at the Mouths of the Ohio and Illinois Rivers, admitting that they would be effectual to the attainment of the objects in view, would yet, I fear, be attended with an expence to this Kingdom greatly disproportionate to the advantage proposed to be gained. . ."[77]

The matter of expense was not the only reason why the government refused to adopt any of the schemes suggested for the betterment of western conditions. The ministry had in mind a different plan, which if carried out would have completely changed the situation. The idea of the conquest of Louisiana from Spain was kept in mind during the greater part of the period under consideration and received more serious thought than perhaps any other western plan. Much of the correspondence between Gage and Brigadier Haldimand, the English commander in West Florida, related to the best method of attacking New Orleans, and many official and private letters also contained expressions

214; same to same, June 26, 1766, *ibid.*; Taylor to Gage, January 23, 1767, *ibid.*, 21,671; Gage to Haldimand, March 20, 1767, *ibid.*, 21,663, fol. 14; same to same, April 16, 1767, Can. Arch., series B, vol. 3, p. 24; same to same, April 30, 1767, B. M., Add. MSS., 21,663, fol. 33; Captain Home to Haldimand, May 6, 1767, Can. Arch., series B, vol. 68, p. 173; Hillsborough to Gage, July 31, 1770, P. R. O., Am. and W. I., vol. 126; Gage to Hillsborough, November 10, 1770, *ibid.*; Gordon's "Notes on the Country along the Mississippi from Kaskaskia in the Illinois to New Orleans", MS. copy in Champaign, Ill., Pub. Library; Hutchins to Haldimand, April 8, 1773, B. M., Add. MSS., 21,730, fol. 25; Pittman, *European Settlements on the Miss.*, ed. Hodder, 62–63.

[77] Hillsborough to Gage, July 31, 1770, P. R. O., Am. and W. I., vol. 126.

favorable to such a move.[78] In 1770–1771, when the Falkland Islands dispute was about to drag England and Spain into war, the opportunity had apparently come for the proposed conquest. Early in 1771 Secretary Hillsborough issued orders to Gage in New York to mobilize an army and prepare for an immediate descent upon New Orleans by way of the Ohio and Mississippi rivers.[79] Gage's preparations, however, were never completed, for the question at issue was settled peacefully.[80]

In the beginning Great Britain had hoped to realize in the development of the fur trade one of her chief returns for taking over the western country. But her traders found the French hard to dislodge. The character and methods of the French fur traders appealed to the Indians, and England's failure to realize more from the trade may be traced in part to this cause. Moreover, that portion of the western trade which went to the English centered in a large degree in a foreign port. With the means at hand attempts were made to check this tendency, and numerous plans were projected to induce a change of conditions, but no expensive measures were undertaken. The problem of the western trade confronted the ministry at a most unfortunate time, for during the decade following the treaty of Paris questions of graver importance were arising and demanding immediate attention. The necessity became apparent of increasing the revenue for purposes of imperial defence and of colonial administration, and the question of the readjustment of all the relations between the mother country

[78] See, for example, George Phyn to Johnson, April 15, 1768, Johnson MSS., vol. XXV, no. 109; Gage to Hillsborough, November 10, 1770, P. R. O., Am. and W. I., vol. 126; Hillsborough to Gage, July 31, 1770, *ibid.*; Reasons for the Establishment of a Colony in Illinois, 1766, B. T. Papers (Hist. Soc. Pa.), vols. XXVII, XXVIII.

[79] January 2, 1771, P. R. O., Am. and W. I., vol. 127.

[80] For a fuller account of the movement see below, ch. VII.

and the colonies was thereby introduced. When the colonial opposition to Parliamentary taxation manifested itself in the outcry against the Stamp Act and other revenue measures, the expenditure of large sums of money on new projects was out of the question. Instead of seeking new schemes upon which to expend money, every opportunity was seized upon to curtail expenses.[81] We find that not only was the plan for the management of Indians outlined in 1764 never put into full operation because of the added financial burden which it would entail, but also that in 1768 the management of the trade was transferred from the crown to the colonies[82] in order that the budget might be further reduced. The western question had become subordinated to that of the empire. Furs were important to the manufacturing monopoly of Great Britain, but at this time of rising discontent in the colonies any new projects entailing further expense were out of the question.

[81] The following extract from a letter of General Gage to Brigadier Taylor of Pensacola, illustrates something of the situation: "I have no doubt of the Exactitude or Necessity of the Expenses incurred, and would beg you to believe so, but the strictest Oeconomy is become the general Topick, and is recommended in every letter I receive from Home; in Compliance therewith, It's my part to notify the several Military Commanders what's hoped for, and expected by His Majesty's Ministers . . .; Estimates of the probable Expences of every Department have been expected in almost every Letter, and imply no more, than that a Calculation may be made therefrom, of the necessary Expences of North America, which being laid before Parliament, a Fund may be appropriated for the same. . ." March 20, 1767, B. M., Add. MSS., 21,663, fol. 12.

[82] Hillsborough to Johnson, April 15, 1768, *N. Y. Col. Docs.*, VIII, 57–58. In this letter the secretary announced the new plan, and declared that it was due largely to the necessity of curtailing expenses. Alvord, *Ill. Hist. Colls.*, II, xxix, misinterprets this measure. He says it was done for the purpose of turning the channel of trade up the Ohio. Within a year it was evident that this change made conditions worse. The Indians were aggrieved because of the removal of the commissaries and interpreters, and the trade conditions in the interior country became worse through lack of supervision. See Johnson to Hillsborough, August 26, 1769, *N. Y. Col. Docs.*, VIII, 184.

CHAPTER VI.

SCHEMES FOR THE COLONIZATION OF THE ILLINOIS COUNTRY, 1763-1768.

THE first step in the establishment of British colonies west of the Alleghany Mountains was in 1738, when the assembly of the colony of Virginia established Augusta County, with the Blue Ridge Mountains as the eastern boundary and the "utmost limits of Virginia" as the western and northwestern.[1] In spite of French claims to this region, the old sea-to-sea charters still possessed a potential value in the minds of the colonists, and from this time on there was a steady move westward. Gradually, toward the middle of the century, the more enterprising and farsighted of the colonists who appreciated the future value of the region began to lay plans for its systematic exploitation. In 1748, shortly after the peace of Aix-la-Chapelle, the Ohio Company, composed of London merchants and Virginia land speculators, obtained from the crown a grant of land south of the Ohio River. This was the precursor of several companies formed for similar purposes. In 1754 the question of western expansion had become of sufficient importance to engage the attention of the Albany Congress and plans for the creation of western colonies were discussed by that body.[2] The following year Samuel Hazard of

[1] Alden, *New Governments West of the Alleghanies before 1780* (University of Wisconsin Bulletin, vol. II, no. 1), 1.

[2] *Ibid.*, 1–3. No attempt is made in this study to add any new con-

Philadelphia outlined a proposition looking toward the formation of a western colony,[3] probably the first which comprehended the Illinois country.

The treaty of cession in 1763 gave a new impetus to the colonizing spirit which had lain dormant during the early years of the war. The English now believed that they were free to occupy at will the unsettled lands as far westward as the Mississippi River. Pamphlet literature was printed and disseminated throughout England and America from 1763 on, advocating the feasibility and necessity of settling the new lands. Soon after the conclusion of peace there appeared in Edinburgh a pamphlet entitled *The Expediency of securing our American Colonies by settling the country adjoining the River Mississippi*, which pointed out the expediency of locating a colony between the Ohio and Mississippi rivers and the fresh-water lakes to the northward. Such a colony, the author set forth, would give Great Britain command of the continent, would serve as a protection against the incursions of French and Indians, and secure the fur trade of the Northwest.[4] The government was urged to encourage settlers by giving lands on easy tenure, and by furnishing cattle, tools, and other necessaries. The colonists should also be given "a set of well contrived good rules with respect to their constitution, policy, economy and order, wise prudent Governors, and a sufficient number of able approven Clergymen and teachers."[5] There were doubtless many other pamphlets issued

tribution to the period preceding 1763. Mr. Alden's monograph includes an account of all the projects during that period, such as Hazard's, Pownall's, and Franklin's earlier plan.

[3] Alden, *New Governments West of the Alleghanies before 1780*, 7–11.

[4] *Ibid.*, 16.

[5] *Expeaiency of Securing our American Colonies*, 43. For a summary of other details see Alden, *New Governments West of the Alleghanies*, 14.

during the period of land fever, descriptive of the new country and its possibilities, of which we have no record.[6]

Throughout the colonies and in England many of the leading men as well as the more venturesome pioneers on the borders of New York, Pennsylvania, and Virginia were ready to take an active hand in the exploitation of the rich lands lying to the westward. Early in the summer of 1763, before the British ministry had had time to consider and determine upon its policy toward the new acquisitions, there was formed an organization known as the Mississippi Land Company,[7] for the purpose of planting a colony in the Illinois and Wabash regions. In this project some of the most prominent residents of Virginia and Maryland were directly interested; indeed, membership in the organization was drawn almost entirely from those two colonies and from England. Some of the original members of the company were George, Samuel, and John Washington; the Lees—William, Thomas, Francis Lightfoot, Richard Henry, and Arthur; Henry and William Fitzhugh, Presly Thornton, and Benedict Calvert.[8] There were thirty-eight sub-

[6] In this connection the following is of interest: "As the happy possession of the Illinois Country is the Subject of much conversation, both in England and America, we beg leave to inclose,—a small pamphlet, wrote lately, on a very interesting point—to wit, The Establishment of a Civil Government there. The Author has borrowed some of his Sentiments from De. Pratz." Baynton, Wharton and Morgan to Sir William Johnson, March 30, 1766, Johnson MSS., vol. XII, no. 128.

[7] Original Articles of Agreement of the Mississippi Company, P. R. O., Chatham Papers, vol. 97. Another copy, in the handwriting of George Washington, is in the Library of Congress. This has recently been printed by A. B. Hulbert in *Ohio Arch. and Hist. Publications*, XVII, 436-439. Most of the information concerning the proposition comes from a collection of papers relating to the company and its transactions, all in the handwriting of William Lee, which was found in a miscellaneous collection of the Earl of Chatham's papers, in the Public Record Office.

[8] Original Articles of Agreement of the Mississippi Company, P. R. O., Chatham Papers, vol. 97.

scribers to the agreement, but the company was eventually to be composed of fifty members who were to contribute equally towards the maintenance of an agent in England.[9] To this agent was intrusted the duty of soliciting from the crown a grant of two million five hundred thousand acres of land on the Mississippi[10] and its tributaries, the Wabash and Ohio rivers, including not only the so-called Illinois country of that time, but the western portion of the present States of Kentucky and Tennessee.[11]

In their petitions the memorialists enumerated the advantages which would accrue to the empire in case the land were granted, especial emphasis being laid on two points of view, commerce and defense. "The Increase of the people, the extension of trade and the enlargement of the revenue are with certainty to be expected, where the fertility of the soil, and mildness of the Climate invite emigrants (provided they can obtain Lands on easy terms)

[9] *Ibid.* The first agent in London was Thomas Cumming, who was also a stockholder in the company, Memorial to the Crown, September 9, 1763, *ibid.* Cumming's successor was Arthur Lee, Petition to the Crown, December 12, 1768, *ibid.*, printed in Butler, *Hist. of Ky.*, 381–383; see also petition of company in Privy Council Office, Unbound Papers, 1768.

[10] Memorial to the Crown, prepared at a meeting of the company at Belleview, Va., September 9, 1763, P. R. O., Chatham Papers, vol. 97, printed below in the Documentary Appendix, no. 1.

[11] For the boundaries of the proposed grant, see below, Documentary Appendix, no. 1. The original articles of agreement do not give the exact location of the proposed grant. The subscribers were to be free to retain their lands twelve years, or more at the pleasure of the crown, without the payment of taxes or quit rents. Within the same period also the company was to be obliged to settle two hundred families in the colony, unless prevented by Indians or a foreign enemy. In order to insure against any such interruption it was hinted that the government might establish and garrison two forts, one at the confluence of the Cherokee and Ohio rivers, and the other at the mouth of the Ohio. Memorial to the Crown, Documentary Appendix, no. 1. The last suggestion was withdrawn four years later at the suggestion of their London agent, Thomas Cumming. Letter of the company to Cumming, March 1, 1767, P. R. O., Chatham Papers, vol. 97.

to settle and cultivate commodities most wanted by Great Britain and which will bear the charges of a tedious navigation, by the high prices usually given for them,—such as Hemp, Flax, Silk, Wine, Potash, Cochineal, Indigo, Iron, etc., by which means the Mother Country will be supplied with many necessary materials, that are now purchased of foreigners at a very great expense." [12]

From the point of view of both trade and defense, the company proposed " that by conducting a trade useful to the Indians on the borders of the Mississippi they will effectually prevent the success of that cruel policy, which has ever directed the French even in time of peace, to prevail with the Indians their Neighbors to lay waste the frontiers of Your Majestie's Colonies thereby to prevent their increase." [13]

Lastly the establishment of a buffer colony would effectually prevent the probable encroachment of the French from the west side of the Mississippi and cut off their political and commercial relations with the Indians. They would " thereby be prevented from instigating them to War, and the harrassing the frontier Counties as they have constantly done of all the Colonies." [14]

[12] Memorial to the Crown, Documentary Appendix, no. 1. Some of the members declared their intention of becoming early settlers in the new colony. The richness of the soil and mildness of the climate beyond the mountains, coupled with the " dearness and preoccupancy of the lands, within their respective colonies " which rendered it " impracticable to make a proper landed provision for their numerous families; a circumstance which begins already to restrain early marriage, and therefore speedy population ", were set forth as reasons for their determination, Petition to the Crown, December 16, 1768, printed in Butler. *Hist. of Ky.*, 381–383. It may be noted that no suggestion is made with reference to the form of government for the proposed colony.

[13] Memorial to the Crown, Documentary Appendix, no. 1.

[14] Letter of the company to Thomas Cumming, September 26, 1763, P. R. O., Chatham Papers, vol. 97.

The plan received its first official check in the year of its inception, when in October, 1763, the British ministry announced its western policy in a proclamation according to which all the territory lying north of the Floridas and west of the Alleghanies was reserved for the use of the Indians.[15] Thereafter the colonial governors were forbidden to issue patents for land within this reservation without the consent of the crown.[16] However, the enunciation of this policy did not deter the Mississippi Land Company and similar organizations from pressing their claims upon the Board of Trade. The more farsighted of the Americans had probably correctly interpreted the proclamation as temporary in character and as promulgated to allay the minds of the savages.[17] The Mississippi Company therefore continued to solicit the grant until 1769, when it was decided that on account of the temper of the ministry towards America, it would be advisable to drop the affair for a time in the hope that a change of ministry would bring a cor-

[15] *Can. Const. Docs., 1759–1791*, 122. See also above, ch. II, pp. 13–14.

[16] *Ibid.*

[17] "I can never look upon that proclamation in any other light (but this I say between ourselves), than as a temporary expedient to quiet the minds of the Indians, and must fall, of course, in a few years, especially when those Indians are consenting to our occupying the lands." Washington to Crawford, September 21, 1767, *Writings of Washington*, ed. Ford, II, 220–221. The report of the Board of Trade on Indian affairs in 1769 admitted these claims to be "mere provisional arrangements, adopted to the exigence of the time." *Pa. Archives*, IV, 315. The same opinion is expressed in "Remarks on Lord Barrington's Plan, no. 2" (1766), Lansdowne MSS., vol. L, p. 78. For an extreme example of the notion held by some members of the government that the proclamation of 1763 should be strictly adhered to and that all western military posts should be abandoned and a general restrictive policy toward the West adopted, see Lord Barrington's Plan relative to the Out Posts, Indian Trade, etc., 10 May, 1766, Lansdowne MSS., vol. L, pp. 49–61. Barrington, who was Secretary at War, reveals a remarkable ignorance of western affairs.

responding change of policy.[18] But at no time does it appear that the promoters of the colony received the slightest encouragement from those in authority.[19]

About the time of the organization of the Mississippi Company in 1763, General Charles Lee[20] outlined a scheme

[18] Letter to William Lee, London, May 30, 1769, P. R. O., Chatham Papers, vol. 97.

[19] No account of any further activity on the part of the company has been found. In 1774 a copy of the correspondence was sent to the Earl of Chatham, which may have been done in the hope that his interest might be aroused in the undertaking. The bundle of papers contains the following indorsement: "Mississippi Co^{a}. Papers, sent to the Right Honble William Earl of Chatham, on Saturday the 20th of April 1774." Charles Lee, in speaking of this undertaking, said: "Another society solicited for lands on the lower part of the Illinois, Ohio and on the Mississippi: this was likewise rejected; but from what motives it is impossible to define, unless they suppose that soldiers invested with a little landed property, would not be so readily induced to act as the instruments of the oppression of their fellow subjects, as those whose views are solely turned, if not reduced, to farther promotion; and if reduced, to full pay." *Lee Papers*, IV (*N. Y. Hist. Soc. Colls.*, Fund series, VII), 98. Benjamin Franklin apparently knew nothing of the existence of the company until 1768. He states in his famous reply to Hillsborough, *Works*, ed. Bigelow, V, 44: "Consistent, however, with our knowledge, no more than one proposition for the settlement of a part of the lands in question has been presented to government and that was from Dr. Lee, thirty-two other Americans, and two Londoners, in the year of 1768, praying that his Majesty would grant to them without any purchase-money, two million five hundred thousand acres of land, in one or more surveys, to be located between the thirty-eighth and forty-second degree of latitude and over the Alleghany Mountains . . . " The company is mentioned in *Considerations on the Agreement . . . with the Honourable Thomas Walpole . . .*, 25–26, as being comprised of "thirty-three gentlemen of character and fortune in Virginia and Maryland, several of whom were of his Majesty's council in Virginia, and many of them, members of the house of assembly, both of that colony and of the province of Maryland." Perkins, *Annals of the West*, 130; Sato, *Hist. of the Land Question in the U. S.*, 25; H. B. Adams, *Maryland's Influence upon the Land Cessions to the U. S.*, 14; De Hass, *History of the Early Settlement and Indian Wars of Western Virginia*, 139, and the author of *Plain Facts*, 69, all note the existence of the company, but place the date of its organization in 1767. The first three quote from *Plain Facts*.

[20] The Charles Lee of Revolutionary fame.

for the establishment of two colonies, one on the Ohio River below its junction with the Wabash, and the other on the Illinois River.[21] It was his plan to organize a company and petition the crown for the necessary grants of land.[22] A portion of the settlers were to be procured in New England, and the remainder from among the Protestants of Germany and Switzerland.[23] In narrating the probable advantages to be derived from such settlements, Lee takes practically the same point of view as the promoters of the Mississippi Company, adding the suggestion that a new channel of commerce would be opened up through the Mississippi River and the Gulf of Mexico.[24] This proposal suffered the same fate as its contemporary in being rejected by the ministry, whose policy of allowing no settlements in the country beyond the mountains had been too recently adopted.[25] Apparently the authors of these projects did not have the ear of such members of the ministry as Lord Shelburne, whose general attitude gave some ground for the belief that in the end plans for western settlements would be adopted.[26]

The next definite schemes of which we have knowledge appeared in 1766, although it is probable that there were many others,[27] for during those years half of England was

[21] *Lee Papers*, IV, 214; Draper, Life of Boone (MS.), III, 266; Sparks, *Life of Charles Lee*, 19.

[22] *Lee Papers*, IV, 214.

[23] *Ibid.* [24] *Ibid.* [25] *Ibid.*

[26] B. Franklin to W. Franklin, September 27 and October 11, 1766, and June 13, August 28, and November 25, 1767, in Franklin's *Works*, ed. Bigelow, IV, 138–144; Shelburne to Gage, November 14, 1767, P. R. O., Am. and W. I., vol. 123.

[27] See for example references to Colonel Bouquet's proposition in Bouquet to Franklin, August 22, 1764, Franklin Papers (Am. Phil. Soc.), vol. I, no. 94, summarized in *Calendar of the Franklin Papers*, ed. Hays, I, 31. Among the papers in the Lansdowne collection are a number which discuss the matter in general terms.

said to have been "New Land mad and every body there has their eye fixt on this Country."[28] It is hardly probable, therefore, that the few definite proposals of which we have record were the only plans projected during those years. Indeed the colonial plan of 1766, promoted by prominent merchants and land speculators of New York, Pennsylvania, and New Jersey, had its origin, we may safely say, as early as January, 1764. At that time the Board of Trade received a communication from one of the promoters, George Croghan, who was then in England,[29] asking their Lordships "whether it would not be good policy at this time while we certainly have it in our power to secure all the advantages we have got there by making a purchase of the Indians inhabiting the Country along the Mississippi from the mouth of the Ohio up to the sources of the River Illinois, and there plant a respectable colony, in order to secure our frontiers, and prevent the French from any attempt to rival us in the Fur trade with the Natives, by drawing the Ohio and Lake Indians over the Mississippi, which they have already attempted by the last accounts we have from Detroit."[30] In spite of the recent announcement in the proclamation of 1763 of the land policy of the government, which interdicted all settlements beyond the line of the Alleghanies, without royal consent, the ministry at this time must have been favorably im-

[28] Croghan to Johnson, March 30, 1766, Johnson MSS., vol. XII, no. 127.

[29] Sir William Johnson sent his agent Croghan to England to sound the ministry on the question of the boundary between the frontier and the Indian territory. Winsor, *Westward Movement*, 9; *cf.* also *N. Y. Col. Docs.*, VII, 603. Croghan was also instructed to petition the government for a grant of land south of the Ohio to satisfy the claims of the Ohio company, and of those soldiers whom Dinwiddie had enlisted in 1754 with promises of land, Winsor, *Westward Movement*, 8.

[30] *N. Y. Col. Docs.*, VII, 605.

pressed by Croghan's advice, for the latter informs us a few months later that "there is a talk of setleing a Colony from the mouth of the Ohio to the Illinois, which I am tould Lord Halifax will Desier my opinion of in a few Days. Mr. pownal tould me yesterday that I would be soon sent for to attend the board of Trade. what Meshures they will Take the Lord knows, but nothing is talkt of except Oconomy."[31]

No further action, however, was taken at this time. But the tentative proposition thus suggested to the Board was in essence the same plan that Croghan and his associates developed two years later. In the general outline of Croghan's earlier plan there is no suggestion that he intended to include the cultivated lands of the French inhabitants of the Illinois villages who might leave that country after the occupation by the British.[32] Two years subsequently, however, Sir William Johnson, Croghan's superior in the Indian department in America and his constant associate in colonizing enterprises, in a communication to the Board of Trade, gave as his opinion that "some of the present Inhabitants may possibly incline to go home, and our Traders will, I dare say, chuse to purchase their rights, this may be the foundation for a Valuable Colony in that Country, . . . this may be effected in time, and large concessions obtained of the Natives."[33] The idea of basing a colony in

[31] Croghan to Johnson, March 10, 1764, Johnson MSS., vol. VIII, no. 202. The style of the letter is characteristic of Croghan. His official letters, however, were usually put into form by some one else.

[32] Later, however, he adopted that idea, Croghan to Johnson, March 30, 1766, Johnson MSS., vol. XII, no. 127,

[33] Johnson to Lords of Trade, January 31, 1766, *N. Y. Col. Docs.*, VII, 809. When Croghan was preparing to go to the Illinois villages in 1766 to bring about a general pacification of the Indians, Johnson wrote him: "So soon as I hear farther from the General [Gage] I shall write you and send the Instructions in which I shall insert an Article directing you to enquire into the French Bounds and Property at the Illinois. I have no objection to what you propose on that sub-

part upon lands vacated by the French was also taken up and emphasized a few weeks later by General Gage.

Very early in the period of the British occupation of the West the chief representatives of the military department, upon whom devolved the responsibility of governing the territory, became exceedingly embarrassed on account of the immense expense which the department was called upon to meet in providing for the maintenance of garrisons among the French inhabitants scattered throughout the Indian country. In 1766, the year of the repeal of the Stamp Act, the imperial government was conscious not only of the necessity of maintaining in America a force sufficient to put down a probable uprising of the Indians and to guard the country against French encroachments, but also of the obligation to curtail expenses. General Gage, therefore, became keenly alive to the necessity of resorting to some expedient to reduce the enormous cost of transporting provisions and other necessities from the seacoast to such distant parts as Fort de Chartres. With reference to the Illinois country in particular, he reported to the home government[34] that he was "a good deal disappointed that any Demand should be made for Provisions, as the country used to abound with it, and none can be supplied from our Provisions, but with great difficulty, and at enormous Expense." "This want," he continued, "must arise from the Inhabitants abandoning their Farms to go over to the new French Settlements, and the only method which appears to me the most proper to obviate

ject there, and as the French are now said to be retiring fast, you will have the better opportunity of making a good Choice on which the value will chiefly depend." Johnson to Croghan, March 28, 1766, Johnson MSS., vol. XII, no. 121.

[34] Gage to Conway, March 28, 1766, B. T. Papers (Hist. Soc. Pa.), vol. XX.

Difficulties on account of Food, as well as to strengthen those parts at the least Expense, is to grant the Lands deserted by the French, which I presume forfeited, as well as other Lands unsettled, using necessary Precautions to avoid Disputes with the Indians, to the British Settlers. All Endeavours must be used to procure a Supply of Provisions upon the Spot, and I have directed the Officer commanding to get seed, and try to make his men cultivate the Ground near the Fort." Gage next proposed, as we have already noted in another connection,[35] that a military governor be appointed immediately for the Illinois country, on account of the distance of the villages from any of the English provinces and because of their proximity to the French settlements on the Spanish side of the river, which would make any other form of government impracticable. Amplifying his idea further he declared that "Lands should be granted without Delay, by any Person authorized properly to do it; but no fees to be taken by the person who grants, or by Secretarys, Clerks, Surveyors, or other Persons whatever: That no large Tracts should be given, but the Lands granted in Farms, consisting of an Hundred and Fifty or Two Hundred Acres of good Land, unless perhaps to Half Pay Officers, who might have Four or Five Hundred Acres. People may be tempted on these Advantages to transport themselves with a Year's Provisions, Seed Corn and Tools for Husbandry, down the Ohio. The Lands shall be held of the King on condition of Military Service, and such other Obligations as shall be convenient."

It has seemed necessary to go into Gage's plan in some detail because in the first place it represents an attitude toward western colonization quite contrary to the position he assumed a few years later, when he strongly opposed

[35] See above, ch. II, pp. 18–19.

such movements.[36] In addition these details give us some perception of the purposes which Gage had in mind in the establishment of a colony, the saving of the heavy expense incurred in transporting provisions into the interior, and to protect the empire, by a buffer colony, from possible incursions of French and Spanish.

Although not connected with any other projects of the time this proposal of General Gage undoubtedly gave some encouragement to the promoters of a larger colony, who now began to develop the ideas of Croghan and Johnson into something tangible. About the same time Governor William Franklin of New Jersey, together with the Philadelphia firm of Baynton, Wharton and Morgan, and Joseph Galloway and John Hughes, also of the colony of Pennsylvania, conceived the idea of forming a land company for the definite purpose of purchasing such lands at the Illinois villages as the French might desire to sell, as well as to obtain a grant for other lands in the adjoining country. Accordingly, in March, 1766, they drew up some articles of agreement [37] for the proposed company, which provided among other things that application was to be made to the crown for a grant of 1,200,000 acres of land in the Illinois country or "more if to be procured".[38] Provision was also made for ten equal shareholders, the stipulation to be subject to change in case others desired to enter the company.[39] Apparently Sir William Johnson and his deputy, Croghan, were not directly concerned in the formation of this company, but they were immediately invited to enter,

[36] See below.

[37] Articles of Agreement, dated March 29, 1766, MS. in Hist. Soc. Pa. Library.

[38] Articles of Agreement, March 29, 1766. [39] *Ibid.*

and Croghan, who was then in Philadelphia, signed the contract on behalf of himself and Johnson.[40]

The land company thus organized was intended to be the foundation of a permanent colony in the northwest country. Governor Franklin, in a letter to his father, Dr. Franklin, who was at the time in London as agent for the colony of Pennsylvania, explained the proposition to him as follows: "A few of us, from his [Croghan's] Encouragement, have form'd a Company to Purchase of the French Settled at the Illinois, such Lands as they have a good Title to, and are inclined to dispose of. But as I thought it would be of little Avail to buy Lands in that Country, unless a Colony were established there, I have drawn up some Proposals for that Purpose, which are much approved of by Col. Croghan and the other Gent^m^. concerned in Philad^a^. and are sent by them to S^r^. W. for his Sentiments which when we receive, the whole will be forwarded to

[40] Writing to Johnson, March 30, Croghan explained: "Soon after my Return here [Philadelphia] from your Honour's I wrote you about the Scheme of purchasing whatever Grants the french was possess'd of in the Illinois Country and imform'd your Honour that Governor franklin with some other Gentlemen hear had form'd the same scheme and offered me to be concerned with them and your Honour, since w'h I have agreed with them in behalf of your Honour and myself . . . itt is likewise preposed to apply for a grant of 1200,000 acres to the crown in that Country and to take into this Grant two or three Gentlemen of Fortune and Influence in England and Governor franklin and those other Gentlemen Desire to know whome your Honour wold chouse to be concerned, and that you wold write to them if you should nott name ye whole you would chouse they Designe to Save y Nomination of such as you dont to Dr. franklin who they prepose to send the proposals to . . . " Johnson MSS., vol. XII, no. 127. According to the Articles of Agreement, as we have them, there were to be ten equal shareholders, but Croghan informs Johnson that the persons and shares were as follows: Sir William Johnson, 2/16, Governor Franklin, 2/16, John Baynton, 2/16, George Croghan, 2/16, Samuel Wharton, 2/16, George Morgan, 2/16, Joseph Wharton, Jr., 1/16, Joseph Wharton, Sr., 1/16, John Hughes, 1/16, and Joseph Galloway, 1/16, *ibid.* It may be suggested that possibly a different arrangement was made after the signing of the original contract.

you. It is proposed that the Compy. shall consist of 12 now in America, and if you like the Proposals, you will be at Liberty to add yourself, and such other gentlemen of Character and Fortune in England as you may think will be likely to promote the Undertaking." [41]

The proposals mentioned in Governor Franklin's letter were outlined by him along with the Articles of Agreement; indeed the substance of the latter was included in the proposals for a colony.[42] Franklin enumerates a number of reasons why the establishment of a colony on the Mississippi River and its environs was desirable. The attention of the ministry was called to some of the natural products of the Illinois and the Mississippi valley countries and to the many advantages of soil and climate over other regions of North America. He declared that if the lands on the Mississippi were settled "we should be enabled to supply all Europe with those commodities, and at a far cheaper Rate than they could be afforded from any other Country." The adaptability of the western country to the cultivation of tobacco, hemp, flax, indigo, and silk was positively affirmed. "Great Britain might also", he continued, "be furnished from thence with Cotton, Copper, Iron, Pot Ash, Wine, Salt Petre, a great variety of valuable Medicinal Drugs, and

[41] April 30, 1766, Franklin Papers (Am. Phil. Soc.), II. no. 17. He observes further that "Mr. Galloway has met with a Pamphlet at Mr. Hill's on the Subject, which I wish I had seen before I had drawn up the Proposals, as it might have afforded some Hints. However, as I believe you have not seen it, it being printed, and I believe wrote in Scotland, I send it enclosed. You will find your Name ment. in it, page 52." The reference to the pamphlet is doubtless to *Expediency of Securing our American Colonies by Settling the Country adjoining the River Mississippi.*

[42] "Reasons for establishing a British Colony at the Illinois with some proposals for carrying the same into immediate Execution", B. T. Papers (Hist. Soc. Pa.), vols. XXVII–XXVIII; Franklin Papers (Am. Phil. Soc.), vol. LVIII, no. 4. See Documentary Appendix, no. 2.

other Articles, which, with those mentioned before, make the great Ballance of Trade against the Nation, and drain it of its Treasure."

Speaking more specifically of the district of Illinois, he asserted confidently that Great Britain would "carry on a more extensive and advantageous Fur-Trade, with the numerous Indian Nations which reside near the Lakes and the different Branches of the Mississippi, than was ever known since the first settlement of America—Supplying them with British Manufactures to a vast Amount." It is pointed out that the French could not rival the English in that branch of commerce because the latter could transport goods through Pennsylvania and Virginia to the West much more cheaply than could be done from New Orleans up the Mississippi. "For want of this Opening thro' the middle Provinces of North America to the Mississippi, the French never had it in their Power to reap so much advantage from that Country as the English now may."

Governor Franklin then raised the question of the most efficacious method of supporting the posts which had so recently been taken from the French. The solution offered was the establishment of a colony with a civil government. This, it will be noticed, differed from the plan of Gage, in that he believed a military government best suited to the circumstances. "If We have not a Colony on the Spot to support the Posts We are now possessed of in that Country, the French who have a Fort and an increasing Settlement on the opposite Shore of the Mississippi, will have it in their Power, by means of their influence with the Indians, to intercept our Supplies, interrupt our Trade, and ultimately cutt off all Communication between the Illinois and the present English Colonies." The suggestion was made that a well-established colony would not only prevent the French

and Indians from interfering, but the English would be enabled to dispossess the French of the remainder of Louisiana, "should a future War make it expedient".

The more important proposals submitted for the consideration of the ministry were:[43] (1) To purchase from the Indians all their rights to the territory in the Illinois country, not already occupied by the French. (2) To establish a civil government.[44] (3) To lay out the proposed land grant in townships.[45] (4) To give grants to provincial officers

[43] To each proposal was appended a paragraph of remarks, which may have been added by Sir William Johnson, to whom the proposals had been sent for such amendments or alterations as he thought necessary. Croghan to Johnson, March 30, 1766, Johnson MSS., vol. XII, no. 127; Governor Franklin to his father, April 30, 1766, Franklin Papers (Am. Phil. Soc.), II, 17.

[44] The promoters of the colony evidently thought that the government intended to establish a civil government in the West. In the Articles of Agreement of the land company, we find the statement that, "it is expected that a Civil Government will be established by his Majesty in the Illinois country at or near Fort Chartres." Croghan about the same time wrote: "By Leters from England there is the greatest reason to believe that a government will soon take place there, if so a thing of this Kind must be very valuable provided we succeed." Croghan to Johnson, March 30, 1766, Johnson MSS., vol. XII, no. 127. John Baynton, one of the original subscribers, and a prominent merchant of Philadelphia, wrote to James Rumsey that a civil government was soon to be formed in the Illinois country, March 1, 1766, Ohio Company Papers (Hist. Soc. Pa.), I, 52. Note also the reference in note 6, above. The following extract is of interest in this connection: "In case of laying aside the superintendents [of Indian affairs], a provision is thought of for Sir William Johnson. He will be made governor of the new colony." B. Franklin to his son, August 28, 1767, *Works*, ed. Bigelow, IV, 141.

[45] Evidently the authors of the proposals made use of the suggestions in Smith's *Historical Account of the Expedition against the Ohio Indians*. "Let all the Lands which may be granted within the first twenty years be laid out in Townships, after the manner practised in some of the New England Colonies, or according to the Plan laid down in the Historical Account of the Expedition under Colonel Bouquet, lately published (quod vide)." In this work the township system as we know it to-day was outlined. The work is most available now in the Ohio Valley Historical Series, see below in Bibliography. Sir William Johnson was doubtless familiar with the work, for in January, 1766,

and soldiers who served in the French war. (5) To concede mines and minerals to the owners of the land in which they may be found, except royal mines, from which the crown might reserve one fifth.[46] (6) To reserve five hundred acres in every township for the maintenance of a clergyman of the Established Church of England.[47] (7) To bound the colony as follows: "From the mouth of the Ouisconsin (or Wisconsing) River down the Mississippi agreeable to Treaty, to the Fork or Mouth of the Ohio. Then up the same River Ohio to the River Wabash, thence up the same River Wabash to the Portage at the head thereof, Then by the said Portage to the River Miamis and down the said River Miamis to Lake Erie. Thence along the several Courses of the said Lake to Riviere al Ours (or Bear River) and up the said River thereof, and from thence in a Straight Line, or by the Portage of St. Joseph's River and down the same River to Lake Michigan, then along the several Courses of said Lake on the South and West Side thereof to the point of Bay Puans, and along the several courses on the East Side of the said Bay to the Mouth of Foxes River, thence up to the Head thereof and from thence by a Portage to the Head of Ouisconsin River, and down the same to the

Dr. William Smith, of Philadelphia, sent him a copy. See article by Charles Whittlesey, in *Journal of the Association of Engineering Societies*, vol. III, no. 11, p. 278.

[46] Lead-mining was an important industry in the Illinois country in the eighteenth century, but at this time it was largely in the hands of the French and Spanish west of the Mississippi River, see Thwaites, "Early Lead-mining in Illinois and Wisconsin," in *Annual Report, Amer. Hist. Assoc.*, 1893, pp. 191–196.

[47] This clause throws an interesting side-light. In the "Remark," presumably by Johnson (see above, note 43), appended to the clause he says the church "ought to be well supported there, otherwise Presbyterianism will become the Established Religion in that Country. It is interesting to note that the Bayntons, the Whartons, Morgan, and the other participants in this movement were Quakers.

Place of Beginning." [48] In order to settle immediately the colony in the Illinois country, "a Company of Gentlemen of Character and Fortune are ready and willing to engage, That if the Crown will make them a Grant, . . . of Land[49] free of Quit Rent . . . to be located at one or more places as they shall chuse, within the Bounds above mentioned, they will at their own . . . Expence, Settle thereon at least One white Protestant Person for every Hundred Acres . . ." [50]

As already stated in Franklin's letter to his father, these proposals were sent to Sir William Johnson for his alteration and recommendation.[51] Johnson in turn inclosed the

[48] Benjamin Franklin estimated that there "will be in the proposed country, by my reckoning, near sixty-three millions of acres . . . ", *Works*, ed. Bigelow, IV, 138.

[49] It is impossible to tell from this document just how many acres were petitioned for, but according to the Articles of Agreement, as already noticed, the company expected to obtain 1,200,000 acres.

[50] "The crown need not be put to much Expence to procure the Settlement of this advantageous Colony. The principal Charges will be a Salary to the Governor, and some other Officers of Government for a few Years, when the Colonists will be enabled to support their own Civil Establishment." It is further suggested in the "Proposals" that two or three companies of light infantry and light horse be raised and disciplined for service in the West, which would be a good security for the infant colony as well as a protection for the frontiers of the old settled colonies. The idea of purchasing the rights of the French seems to have been abandoned, for no suggestion of it appears in the "Proposals".

[51] He also received copies from several members of the company, Croghan to Johnson, March 30, 1766, Johnson MSS., vol. XII, no. 127; Baynton, Wharton and Morgan to Johnson, June 6, 1766, *ibid.*, no. 197; Johnson to Governor Franklin, June 20, 1766, see Lincoln, *Calendar of MSS. of Sir William Johnson in Am. Antiq. Soc. Library*, 45. "Mr. Croghan will transmit to your Honour, *some proposals* which we shall be greatly obliged to you both to consider, and alter, in such manner, as you shall judge will be best." Baynton, Wharton and Morgan to Johnson, March 30, 1766, Johnson MSS., vol. XII, no. 128. Johnson took exception to that part of the plan which called for the establishment of a civil government in the new colony. He asserted that "we have nothing to fear from a Military Establishment from which a young Colony will derive many advantages . . . " He did not, however, make any alteration, Johnson to Bayn-

papers to Benjamin Franklin in London, together with a letter to Secretary Henry Conway in which he strongly recommended the adoption of the plan.[52] Dr. Franklin received the papers in September,[53] but news of the project was already abroad in England. Johnson had "hinted the Affair" some time before in a letter to the Board of Trade[54] and Benjamin Franklin had himself received a number of communications from his son and from his Penn-

ton, Wharton and Morgan, June 20, 1766, *ibid.*, vol. XII, no. 214. It is of interest to note that previous to this time no correspondence had ever passed between Sir William Johnson and Governor Franklin. Croghan to Johnson, March 30, 1766, *ibid.*, vol. XII, no. 127; Johnson to B. Franklin, July 8, 1766, Lincoln, *Calendar of the MSS. of Sir William Johnson*, 45.

[52] Johnson to Baynton, Wharton and Morgan, June 20, 1766, Johnson MSS., vol. XII, no. 214; Johnson to Governor Franklin, June 20, 1766, MS. letter in Am. Antiq. Soc. Library; same to same, July 8, 1766, *ibid.*; Johnson to B. Franklin, July 10, 1766, *ibid.* In a letter to Conway, dated July 10, 1766, Johnson wrote: "As the scheme appears to me to be so reasonable and so well calculated for the mutual Interests of Great Britain and its colonies I could not refuse their request . . . I shall be happy, Sir, if my thoughts on the subject may coincide with Yours and I flatter myself with Your pardon for the liberty I now take as it is intended for a public benefit and proposed by *men of whose motives I can have no doubt.*" Johnson MSS., vol. XIII, no. 1, and B. T. Papers, (Hist. Soc. Pa.), vol. XXVII. Observe that Johnson makes no mention, in his letter to Conway, of his own or Governor Franklin's interest in the land company. It was understood, however, that no mention was to be made of that fact: "itt is preposed that its not to apear till ye success of our plan is known that Your Honour and Governor franklin is concerned as its thought that you can be of more Service by nott being thought Concern'd . . . ", Croghan to Johnson, March 20, 1766, Johnson MSS., vol. XII, no. 127. Johnson had, indeed, hesitated about taking an active hand in the affair. He wrote that he was "somewhat of Opinion it would answer better that I recommended it in Gen'l Terms, as an Affair I had heard was in agitation . . . ", Johnson to Governor Franklin, June 20, 1766, see Lincoln, *Calendar of the MSS. of Sir William Johnson*, 45.

[53] Franklin to his son, September 12, 1766, *Works*, ed. Bigelow, IV, 137; Franklin to Johnson, September 12, 1766, *Works*, ed. Smythe, IV, 461.

[54] Johnson to Governor Franklin, June 20, 1766, MS. letter in Am. Antiq. Soc. Library.

sylvania friends.[55] The proposition was one which Franklin had kept in mind ever since the meeting of the Albany Congress in 1754, when he advanced the idea of western settlements, and it was therefore with little or no hesitation that he now promised to forward the scheme with all his power.[56]

In the meantime the Rockingham ministry, which had been in power since July, 1765, had resigned; the Earl of Chatham had been made prime minister in August, 1766, and Lord Shelburne had displaced Conway as secretary of state for the southern department.[57] Johnson's letter to Conway and the proposals for a colony went, therefore, into Shelburne's hands.[58] In addition to the plan itself with Johnson's recommendations, Dr. Franklin gave Shelburne copies of Croghan's letters from the West together with his journal, and several of Johnson's letters on the subject.[59]

[55] Governor Franklin to his father, April 30, 1766, Franklin Papers (Am. Phil. Soc.), II, 17. "Upon the first thoughts of the Scheme, Mr. Galloway and I wrote to Dr. Franklin, so that he might essay it, with the ministry . . . ". Baynton, Wharton and Morgan to Johnson, July 12, 1766, Johnson MSS., vol. XIII, no. 2.

[56] Franklin to his son, May 10 and August 25, 1766, *Works*, ed. Bigelow, IV, 136–137; Baynton, Wharton and Morgan to Johnson, July 12, 1766, Johnson MSS., vol. XIII, no. 2; Baynton, Wharton and Morgan to Johnson, August 28, 1766, quoting from a letter of Franklin's, Johnson MSS., vol. XIII, no. 65; B. Franklin to Johnson, September 12, 1766, *Works*, ed. Smythe, IV, 461.

[57] Hunt and Poole, ed., *Pol. Hist. of Eng.*, X, 471–472.

[58] Franklin to his son, September 12, 1766, *Works*, ed. Bigelow, IV, 137. Franklin felt that this change augured well for the success of the project, for he said, "it will of course go to Lord Shelburne, whose good opinion of it I have reason to hope for; and I think Mr. Conway was rather against distant posts and settlements in America." *Ibid.* In another letter of the same date he wrote: "He [Conway] is now in another Department, but it will of course go to Lord Shelburne, who I think is rather more favorably dispos'd towards such Undertakings." Franklin to Johnson, *Works*, ed. Smythe, IV, 461–462.

[59] Franklin to his son, September 27, 1766, *Works*, ed Bigelow, IV, 139.

He offered as an additional exhibit, one of Evans's maps of the middle colonies on which he had marked in red ink the whole country included in the boundaries of the proposed colony.[60]

Shelburne was pleased with the plan submitted,[61] but openly confessed to Franklin that there were members of the government with whom the scheme did not find approval.[62] He intimated in addition that the expense which all such affairs promised would work against it in the Board of Trade,[63] and consequently did not at once promise his active support of the undertaking.[64] As it was therefore useless to proceed with the plan without the aid of Shelburne and other members of the cabinet, Franklin spent the remaining months of 1766, and a large part of 1767 in an attempt to obtain their official approval. In this he joined efforts with General Phineas Lyman of the colony of Connecticut, a veteran officer of the French and Indian war, who was at this time in London soliciting a grant of land on the Mississippi for himself and his soldiers.[65] Since the boundaries of the two proposed grants

[60] Franklin, to his son, September 27, 1766, *Works*, ed. Bigelow, IV, 139.

[61] "I have mentioned the Illinois affair to Lord Shelburne. His Lordship had read your plan for establishing a colony there, recommended by Sir William Johnson, and said it appeared to him a reasonable scheme." Franklin to his son, September 27, 1766, *ibid.*, 138.

[62] *Ibid.*

[63] Franklin to his son, October 11, 1766, *ibid.*, 139. "He was pleased to say he really approved of it: but intimated that every new proposed expense for America would meet with difficulty here, the treasury being alarmed and astonished at the growing charges there, and the heavy accounts and drafts continually brought in from thence."

[64] Franklin to his son, September 27, 1766, *ibid.*, 138.

[65] Franklin to his son, September 12, 1766, *Works*, ed. Bigelow, IV, 137. "Plan proposed by General Phineas Lyman for settling Louisiana, and for erecting new colonies between West Florida and the Falls of St. Anthony," *Fifth Report, Royal Hist. MSS. Com.*, 216, 218.

coincided in a large measure, both projects were united at the suggestion of Shelburne.[66] The task of creating a sentiment among the leading members of the government sufficiently strong to bring the whole question to a conclusion was slow and tedious. Although Shelburne and some of his subordinates were personally favorable to the project, many months elapsed before they were ready to recommend the proposals to the Board of Trade for its consideration.[67] One of the most vital questions of the day in England was that of reducing expenses, and Dr. Franklin seized the opportunity of urging upon Shelburne, Conway, Clare, and others that a settlement in the Illinois country would be one of the best modes of saving the cost of maintaining outposts for the protection both of trade and of the colonies.

For further account of Lyman and his career, see Hinsdale, "The Establishment of the First Southern Boundary of the United States", in *Annual Report, Amer. Hist. Assoc.*, 1893, and Sabine, *Loyalists of the American Revolution*, II, 33–34.

[66] Franklin to his son, September 27, 1766, *Works*, ed. Bigelow IV, 139.

[67] The following excerpts indicate the progress of the negotiations. "I have just had a visit from General Lyman, and a good deal of conversation on the Illinois scheme. He tells me that Mr. Morgan, who is under-secretary of the Southern department, is much pleased with it; and we are to go together to talk to him concerning it." Franklin to his son, September 30, 1766, *Works*, ed. Bigelow, IV, 139. "Mr. Jackson is now come to town. The ministry have asked his opinion and advice on your plan of a colony in the Illinois, and he has just sent me to peruse his answer in writing, in which he warmly recommends it, and enforces it by strong reasons." November 8, 1766, *ibid.*, 140. "More than one plan has been given in relative to forming a Government in the Illinois Country, but till a general system for America shall be further advanced, no resolution can be taken on this Head." Shelburne to Gage, December 11, 1766, P. R. O., Am. and W. I., vol. 122. "Great changes being expected keeps mens' minds in suspense, and obstructs public affairs of every kind. It is therefore not to be wondered at that so little progress is made in our American scheme of the Illinois grant." Franklin to his son, February 14, 1767, *Works*, ed Bigelow, IV, 140. "The Illinois affair goes forward but slowly; Lord Shelburne told me again last week that he highly approved of it, but others were not of his sentiments, particularly the Board of Trade. Lyman is almost out of patience and now talks of carrying out his settlement without leave." *Ibid.*, 140.

He reinforced the various arguments enumerated in the proposals, laying particular stress upon the strategic value of such a colony in the event of war with Spain. A force could be raised there "which, on occasions of a future war, might easily be poured down the Mississippi upon the lower country, and into the Bay of Mexico, to be used against Cuba, the French Islands, or Mexico itself."[68] Finally, as a result of his solicitations, Franklin could report on August 28, 1767, that "the secretary appeared finally to be fully convinced, and there remained no obstacle but the Board of Trade, which was to be brought over privately before the matter should be referred to them officially."[69]

His mind made up, Shelburne became at once an earnest advocate of western colonization, and himself drew up a statement of reasons for those settlements, which he presented to the King in Council.[70] He reinforced his own

[68] Franklin to his son, August 28, 1767, *Works*, ed. Bigelow, IV, 141.

[69] *Ibid.*

[70] *Ibid.* In a letter to Gage, November 14, 1767, Shelburne clearly indicated his position: "The enormous expense attending the present method of supplying the Troops cantoned in the back Settlements and frontier Posts of North America with the heavy contingent Charges arising from the Transportation of Stores, and the danger to which the Discipline of the Army is exposed by the Regiment's being broken up into small Detachments; have all been very often and very justly represented in your letters:—to remedy these evils no measure seems to bid fairer than one, which, by establishing Governments where Provisions and Necessaries may be furnished on the spot, will render half the Posts kept up unnecessary; while the remainder may be partly transferred to the care of the several Provinces and partly maintained at a much less expense. The illicit Trade with the French and Spaniards will be in a great measure cut off, as the goods must be intercepted by our Traders in their passage; the Indians will be prevented from Incursions into the back Settlements; precise and definite Boundaries will be put to the old Colonies; the Trade and Manufactures of Great Britain will be extended into the remotest Indian Nations, and such Posts only require to be garrisoned as command the different Indian communications, or the intercourse between his Majesty's different colonies, by the great Rivers and Lakes." P. R. O., Am. and W. I., vol. 123.

sentiments by excerpts from the letters of Generals Amherst[71] and Gage[72] and Richard Jackson,[73] whom he declared were the best judges of everything relating to America. The Council having approved the plan,[74] it was on October 5th submitted to the Board of Trade.[75]

[71] Amherst, Gage's predecessor as commander-in-chief in America, carried on considerable correspondence with the ministry concerning the West both before and after his resignation in 1763. The details of his proposals do not appear, but he recommended in general terms the creation of some sort of establishments in the West, Shelburne to Lords of Trade, October 5, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXVII; *N. Y. Col. Docs.*, VII, 982; Franklin to his son, November 25, 1767, *Works*, ed. Bigelow, IV, 144; *Fifth Report, Royal Hist. MSS. Com.*, 210, see also 217.

[72] Gage advocated western settlements until about 1768, after which date he is found in opposition, Gage to Hillsborough, June 16, 1768, P. R. O., Am. and W. I., vol. 124, and correspondence after that date. Although favoring colonies prior to 1768, Gage was in no way connected with any of the schemes promoted by the land companies. Statements that he was so interested have been made by Bancroft, *Hist. of U. S.*, ed. 1854, VI, 32, and by W. C. Ford, in *Writings of George Washington*, II, 326. Winsor also states that "General Gage and a body of Philadelphia merchants joined the others in this new memorial", *Westward Movement*, 38, but Sir William Johnson declared: "I have sounded Gen'l Gage on the occasion, who declines being concerned." Johnson to Governor Franklin, June 20, 1766, MS. letter in Am. Antiq. Soc. Library. Gage, indeed, did not favor the large proprietary colonies which were being urged by the land companies. Believing that the Board of Trade would declare in favor of the policy of western settlements, he wrote: "I would now beg leave to mention the Propriety at the first formation of these Settlements, of granting the lands upon easy conditions and in small Lotts contiguous to each other, not to be alienated by the grantees, or else by various artifices they will soon be transferred into the hands of a few people who will become proprietors of large Tracts which Experience has shown are seldom settled, but kept by the owners in Expectation that the lands will increase in value. The Prospect of getting good farms on easy Terms will encourage many Families to emigrate from all the Colonies." Gage to Shelburne, January 23, 1768, P. R. O., Am. and W. I., vol. 124. Note also Gage's propositions, pp. 114–115, above.

[73] Jackson was appointed counsel to the Board of Trade in April, 1770, Chalmers, *Opinions of Eminent Lawyers*, 37.

[74] "I returned last night from Paris, and just now hear that the Illinois settlement is approved of in the Cabinet Council", Franklin to his son, October 9, 1767, *Works*, ed. Bigelow, IV, 141.

[75] Shelburne to Lords of Trade, October 5, 1767, B. T. Papers (Hist.

The proposition to be considered by the Board was not, however, the one originally submitted by Franklin. During the years from 1763 to 1770, we find representatives of other companies and interests in London seeking to advance their cause. The Mississippi Company was still alive and its agents, Thomas Cumming and Arthur Lee, were both in London at this time urging the proposition of this company upon the ministry.[76] Colonel George Mercer was suing in behalf of the old Ohio Company for the perfection of its former grant,[77] and representatives of the soldiers who were enlisted by Governor Dinwiddie in 1754 under promises of land were likewise claiming their rights. And we have already noted the presence in England of General Lyman, with whom at the suggestion of Shelburne, Dr. Franklin had made common cause. Moreover, some of the proposed grants coincided[78] while others overlapped each other.[79] Although converted to the policy of western

Soc. Pa.), vol. XXVII; Franklin to his son, October 9, 1767, *Works*, ed. Bigelow, IV, 142; same to same, November 25, 1767, *ibid.*, 144: Shelburne to Gage, November 14, 1767, P. R. O., Am. and W. I., vol. 123. The whole western problem was before the cabinet during the entire summer and autumn of 1767, when the matter was turned over to the Board of Trade. Note in margin of "Minute" submitted by Shelburne to the cabinet in 1767, Lansdowne MSS., vol. L, p. 185.

[76] Letter of the Company to Cumming, March 1, 1767, P. R. O., Chatham Papers, vol. 97; Petition to the Crown, December 16, 1768, printed in Butler, *Hist. of Ky.*, 381–383.

[77] Letter of the Company to Cumming, September 28, 1763, P. R. O., Chatham Papers, vol. 97. "We are also to observe to you, Sir, that Col. Mercer is now in London soliciting for the Ohio Company, and perhaps he may have under his protection the Interest of other Companies whose concerns may possibly interfere with ours, or that he may think so; and thereby be induced to oppose our Scheme; we request you not to converse with Col. Mercer on the subject of our solicitation, nor to let him know that any such plan is projected." *Ibid.* See also Johnson to Lords of Trade, July 8, 1763, P. R. O., Colonial office, class V, 1330, No. Y., 107, p. 511.

[78] Such as the Franklin and Lyman proposals.

[79] For example, the Franklin and Mississippi Company's boundaries.

colonization along broad general lines, Shelburne was doubtless also convinced that under these confusing circumstances, it would be impossible to make any progress toward securing a favorable report from the Board of Trade, whose president was already known to be hostile to the movement.[80] On October 1, 1767, therefore, Shelburne presented a plan providing for the establishment of three distinct colonies in the Northwest.[81] The center of one of the proposed governments was to be "at the Detroit between Lakes Erie and Huron," another "at or near the Mouth of the Ohio," and the third "in the Illinois Country at or near the Mouth of the River of that name."[82] In each colony there were to be one hundred original proprietors, each of whom was to be allowed "to take up twenty thousand acres of land (without paying any fine or consideration to the King for them), and to sell to undertenants; and the proprietors were also to have possessed their lands

[80] Franklin to his son, September 27, 1766, *Works*, ed. Bigelow, IV, 138.

[81] "Settlement on the Ohio River", *ibid.*, V, 45; *Considerations on the Agreement with the Honorable Thomas Walpole*, 21.

[82] "Representation of the Lords of Trade on the State of Indian Affairs, March 7, 1768," *N. Y. Col. Docs.*, VIII, 27. "During the administration of the Earl of Shelburne, several applications were made to his lordship, for grants of land upon the *Ohio, at the Illinois and Detroit*; and . . . his lordship, at that time proposed the establishment of three new colonies at these places." *Considerations on the Agreement with the Honourable Thomas Walpole*, 21. See also "Settlement on the Ohio River", in Franklin's *Works*, ed. Bigelow, V, 45-46. Both Gage and Amherst had recommended the erection of more than one colony in the West: "His Majesty likewise commands me to refer to Your Lordships Extracts from several Letters of Sir Jeffry Amherst and General Gage recommending the Establishment of further new Governments on the Mississippi, the Ohio, and at Detroit". Shelburne to Lords of Trade, October 5, 1767, B. T. Papers (Hist. Soc. Pa.); Amherst to Egremont, November 30, 1762, recommending the establishment of a seat of government at Detroit, *Fifth Report, Royal Hist. MSS. Com.*, 217, 218; Franklin to his son, November 25, 1767, *Works*, ed. Bigelow, IV, 144.

fifteen years, without paying any quit-rent or taxes; . . . at the expiration of the 15 years, they were to have paid a quit-rent to the King of two shillings per hundred acres; and this quit rent was to have been altogether applied to the payment of the contingencies of the government."[83] What form of government Shelburne had in mind for the new colonies does not appear. It is probable that that question was left in abeyance until the decision of the Board of Trade was made known.

In his communication to the Lords of Trade, in which he presented the question of new settlements, Shelburne called the Board's attention to certain other phases of the western problem just then demanding solution. It was felt by the government that since the danger of an Indian rupture was becoming minimized, the enormous expense attending the administration of the western country should be reduced. The Indian trade, which, since the peace, had been managed by the imperial government acting through the general superintendents, was not fulfilling the expectations of the

[83] *Considerations on the Agreement with the Honourable Thomas Walpole*, 22. It is possible that Shelburne intended the colony "at or near the Mouth of the Ohio" to be undertaken by the Mississippi Company, but there is not enough evidence to prove it. It may be said, however, that the Mississippi Company had petitioned for land, part of which lay south of the Ohio River, while Franklin's proposed grant was all on the northward, so that we might expect some such arrangement. In the meantime the land company organized by Governor Franklin and Baynton, Wharton and Morgan had evidently increased its membership. Provision was made in the Articles of Agreement for at least two additional members, and it was expected that Dr. Franklin would himself choose these two in England. Franklin, however, was so pleased with the proposition, that he recommended a further enlargement in membership, as will appear from the following: "It gives us great pleasure that thou approves the Illinois scheme, and although it was at that time thought it might be prudent to take in two persons, such as thou should approve of, yet I conceive it will by no means be disagreeable to our Company, should thou enlarge the number, if a proportionable number of acres be granted." Thomas Wharton to B. Franklin, November 11, 1766, Sparks MSS., XVI, 81.

ministry.[84] Its management was furthermore becoming more and more expensive and the necessity of supporting garrisons for the protection of that commerce added greatly to the already heavy burdens of the treasury. Shelburne was himself convinced that the management of the Indian trade should be transferred to the individual colonies and that some of the interior posts should be reduced or else supported by the colonies.[85] On these two questions he was in substantial agreement with his colleagues. But he was persuaded in addition that the planting of colonies in the interior of America would tend more than anything else to bring about a proper adjustment of all the discordant elements. Such settlements would, in his mind, form barriers for the old colonies, become markets for the sale of British manufactures, protect the fur trade against French and Spanish emissaries, furnish provisions for necessary military posts, and give to the French subjects of England a stable government.[86] In a very able paper presented to the Cabinet in the early summer of 1767[87] Shelburne had argued that such colonies would not be expensive: that the quit rents would soon be sufficient to maintain them and to create a fund for other purposes, especially if the grants of land were placed under proper supervision. He believed that a very simple system could thus be created for the West through the establishment of new governments[88] and the maintenance of a few military posts, and by leaving the management of Indian affairs to the colonies, subject to

[84] See above, ch. V.

[85] Minutes submitted to cabinet, Lansdowne MSS., vol. L, p. 185.

[86] See quotation from letter of Shelburne to Gage, November 14, 1767, in note 70, above.

[87] Lansdowne MSS., vol. L, p. 185.

[88] At this time he proposed two colonies, one at Detroit and [illegible] Illinois, *ibid.*

general regulation by the Board of Trade. In answer to those who protested that the Indians would be outraged, Shelburne made the prophetic suggestion that if the Indians did not like to be surrounded by the new colonies they could sell their lands and move westward or become civilized.

Shelburne doubtless had in mind a certain element of opposition to his plan in the Board itself,[89] when, in his letter of October 5th, he placed the heads of inquiry relating to the expense of the imperial management of the Indian trade and of the maintenance of western garrisons first in the list, so that they formed a sort of introduction to his proposition for the western colonies.[90]

Soon after this the Board called for the opinion of the merchants, whether the settlement of colonies in the Illinois country and at Detroit would promote in any way the commerce of Great Britain. Dr. Franklin, who was present at the meeting, says that they answered unanimously in the affirmative.[91]

Whatever may have been the prospect in October or November for a favorable report on the colonial project, the hopes of the promoters were dashed in the following months. In order to understand the situation it is neces-

[89] This opposition was apparent as early as 1766, at the first suggestion of the project. Dr. Franklin was of the opinion that Lord Hillsborough was at the bottom of the opposition at that time, Franklin to his son, September 27, 1766, *Works*, ed. Bigelow, IV, 138.

[90] "The parts of the Service which we are more immediately called upon by the Earl of Shelburne's letter to give Our attention, are First, The present Civil Establishment regarding the Indians; Secondly, the disposition of the Troops for Indian Purposes; and lastly, the Establishment of certain new Colonies." "Representation of the Lords of Trade on the State of Indian Affairs, March 7, 1768," *N. Y. Col. Docs.*, VIII, 20.

[91] Franklin to his son, November 13, 1767, *Works*, ed. Bigelow, IV, 142.

sary to note the political situation in England at the period under discussion. The Chatham ministry, formed in August, 1766, contained several men who favored the cause of the colonies. Chatham himself, Conway, one of the secretaries of state and mover of the repeal of the Stamp Act, and Lord Shelburne, secretary of state for the southern department, were all in favor of adopting a more liberal policy toward the colonies. But with the retirement of Chatham on account of illness a group of men stepped into power who believed that the colonies should bear part of the burden of imperial defence. Prominent among these men was Charles Townshend, author of the Revenue Act of 1767. At that time the management of American affairs was centered in the hands of two men, the secretary of state for the southern department and the president of the Board of Trade. The president of the Board in 1766 was Lord Hillsborough, a thoroughgoing advocate of restriction. The Board at this time, however, had but little power, it having become a mere "Board of Report upon reference to it for advice or information on the part of the Secretary of State".[92]

Throughout 1767 Shelbourne was under the necessity of carrying out the will of the ministry and of Parliament, distasteful though it was. Friction between himself and the cabinet became so pronounced that for months he failed to attend the meetings.[93] In September, Townshend, the most influential minister in the cabinet, died and there was an opportunity for Grafton to reconstruct the policy of the government along the lines advocated by Chatham and Shelburne. But he chose to continue the policy of Town-

[92] Fitzmaurice, *Life of Shelburne*, II, 2. Hillsborough accepted the office on that condition. *Grenville Papers*, III, 73, 254.

[93] *Ibid.*, 58.

shend and admitted into the ministry members of the Bedford party, who were advocates of the adoption of a firm policy toward the colonies. The retirement of Shelburne as colonial minister was made a condition of the support of Bedford.[94] The King was likewise using his influence against the retention of the liberal minister.[95] Shelburne was finally relieved of his unhappy situation; for in January, 1768, the office of secretary of state for the colonies was created, and Lord Hillsborough was appointed to fill the office.[96] The Board of Trade, now deprived of all its executive powers, was under the nominal direction of Lord Clare, Hillsborough having resigned the presidency in December, 1766.[97]

Hillsborough's opposition to western colonies has already been noted. To men like Franklin, therefore, the adverse report made in March, 1768, must have been no surprise. The Board of Trade, under the inspiration of Hillsborough, indorsed the recommendations of the former colonial minister that the management of the Indian trade should be transferred to the colonies and that certain interior posts might then be reduced,[98] but declared a disbelief in the western colonial plan as a further means of reducing imperial expenses.[99] The elaborate argument against this last proposition may be logically divided into two parts. In

[94] *Grenville Papers*, III, 67. [95] *Ibid.*, 77.

[96] *Ibid.*, 77; Hunt and Poole, ed., *Pol. Hist. of Eng.*, X, 472.

[97] *Rockingham Memoirs*, I, 78. Later in 1768 he again became president of the Board, thus holding two offices.

[98] "Representation of the Lords of Trade on the State of Indian Affairs, March 7, 1768", *N. Y. Col. Docs.*, VIII, 19–28; Hillsborough to Gage, April 15, 1768, P. R. O., Am. and W. I., vol. 124, Winsor, *Westward Movement*, 41, places the date at 1767, which is incorrect. On p. 40 of the same work he also states that Shelburne laid Franklin's scheme before the Board in October, 1766, which should be 1767.

[99] "Representation of the Lords of Trade on the State of Indian Affairs, March 7, 1768", *N. Y. Col. Docs.*, VIII, 28–31.

the first place the proposal for the establishment of colonies in the interior as a general principle of policy is subjected to a severe criticism. The policy of Great Britain had always been to confine settlements to the seacoast in order better to promote the commerce, navigation, and manufactures of the kingdom.[100] This principle was illustrated by the encouragement given the colonizing of Nova Scotia, and the formation of the colonies of Georgia, East Florida, and West Florida, and by the provision in the proclamation of 1763 whereby the interior country was left to the Indians. The Board declared that this policy had been productive of vast commercial and industrial benefits to the mother country.

In the second place, they proceeded to answer the specific arguments advanced by the advocates of the new propositions: (1) Settlements in the interior, inaccessible to shipping, would be led to manufacture for themselves, instead of becoming a market for English products. (2) The extension of the fur trade depended upon the Indians remaining in possession of their hunting grounds. (3) Instead of affording protection to the old colonies, they would demand protection for themselves. (4) New colonies would undeniably be of advantage in furnishing a supply of provisions for the forts and garrisons in the interior country, but since many of these might be reduced, the advantage would be of doubtful value. (5) They would furnish the French inhabitants of the West with civil government, but that would likewise be of doubtful utility, since these colonies have always been subject to a military government, and therefore needed no other.

Hillsborough was a bitter opponent of colonial expansion

[100] See also Hillsborough to Gage, July 31, 1770, P. R. O., Am. and W. I., vol. 126.

in general, and the objections summarized in this report represent in a large measure his own opinions as well as the point of view held by a large body of conservative Englishmen of that time, who had not yet reached the broader notions held by Shelburne, Franklin, and Adam Smith as to the end for which colonies ought to be created. The view of the class represented by Hillsborough and Lord Barrington was well defined by a pamphleteer of the time, who declared that "a colony is profitable according as its land is so good, that by a part of the labor of the inhabitants bestowed on its cultivation, it yields the necessaries of life sufficient for their sustenance; and by the rest of their labor produces staple commodities in such quantity, and of such value, as brings for the mother country, in the way of commerce and traffic, all manufactures necessary for the proper accommodation of the colonists, and for the gradual improvement of the colony, as the number of people increase."[101]

There were reasons, however, other than those mentioned by the Board of Trade, which appear to have influenced Hillsborough's attitude, and even that of Gage, who, in 1768, reversed his position on the colonial question. It seems worth while, therefore, to examine whether the arguments in the report of 1768 are an entirely adequate explanation of the rejection of Shelburne's policy. At the same time it must be observed that although Hillsborough was opposed to the creation of new provinces in the interior, he did not at this time disapprove of the gradual extension of the older settlements beyond the Alleghanies. As late as

[101] Quoted by Winsor, but without indication of author or title, *Westward Movement*, 41. See also Lord Barrington's Plan relative to the Out Posts, Indian Trade, etc., May 10, 1766. Lansdowne MSS., vol. L, pp. 49–61.

1768 he stated definitely that no objection could be had to such colonies,[102] and at the first suggestion of the Vandalia grant south of the Ohio, warmly supported it.[103]

It is necessary to bear in mind that the imperial government during the decade under consideration was becoming more and more embarrassed by the many problems of imperial administration. The great war just closed had resulted in bringing upon the government many new responsibilities, not the least of which was the administration of the newly-ceded territories and the defence of the empire. It is not surprising, therefore, that the members of the ministry should hesitate to sanction the establishment of new colonial governments when questions of administration and finance were already causing serious difficulties between the mother country and the established colonies. The factor of expense entered into the consideration of every new project and the colonial schemes were no exception to this rule, especially since the government was asked to bear a certain part of the expense.

The correspondence of Shelburne and Franklin shows that at the first suggestion of the proposed settlements this factor was uppermost in the mind of the former.[104] Shelburne became convinced that ultimately this objection would be

[102] "Representation of the Lords of Trade on the State of Indian Affairs, March 7, 1768", *N. Y. Col. Docs.*, VIII, 28–31.

[103] Franklin to his son, July 14, 1773, *Works*, ed. Bigelow, V, 197. With the reason for Hillsborough's later opposition the present study is not concerned.

[104] Franklin to his son, October 11, 1766, *Works*, ed. Bigelow, IV, 139, quoted above in note 63. "In case your Lordships should think it right to advise his Majesty to establish these New Governments, you will consider whether it will not be practicable to fall upon such a Plan as will avoid great part of the Expense incurred by the Estimates of the New Governments established after the Peace." Shelburne to Lords of Trade, October 5, 1767, B. T. Papers (Hist. Soc. Pa.), vol. XXVII; and *N. Y. Col. Docs.*, VII, 981.

overcome, but Hillsborough was not of that opinion. Writing to Gage shortly after the issuance of the report he dwelt at considerable length upon the necessity of avoiding an increased expense on any account: [105] "It appears to his Majesty that in the present state of the Kingdom its future Safety and Welfare do in great measure depend upon the relieving it from every Expence that is not an absolute necessity, and therefore though his Majesty applauds the Motives which induced the first Institution of the present plan of Indian Superintendency, which was evidently calculated to regain the Confidence, and combine the Force of the Savages against a then powerful Enemy, yet, as in the present State of America, the main object of that Plan, if not entirely removed are at least greatly diminished . . . His Majesty concurs in opinion with his Board of Trade, that the laying aside that part of it [the Plan of Superintendency] which relates to the Indian Trade and entrusting the entire management of that Trade to the colonies themselves will be of Publick Utility and Advantage, as a means of avoiding much Difficulty and saving much Expense to this Country both in present and in future . . . The Propriety therefore of entrusting the Management of the Trade with the Indians to the Colonies, does . . . appear to His Majesty to depend in great measure upon a reduction of such Posts in the Indian Country, as are by their situation, exposed to the Resentment of the Savages, it being evident that in Proportion as the number of such Posts is diminished, the Necessity of carrying on an Indian War at the Expense of this Kingdom will be less. . . . His Majesty has not failed in this great and extensive Consideration to give due attention to Propositions, which have

[105] April 15, 1768, P. R. O., Am. and W. I., vol. 124.

been made with regard to the Establishments on the Rivers Mississippi, Ohio and Illinois. But as his Majesty has doubts concerning the Utility of Establishments in such remote situations, which consequently cannot be kept up, but at an immense Expence, it is the King's pleasure that you should report your Opinion with regard to the continuance of any of the Forts in those situations. . . ."[106]

It should be noted that in the report of the Board of Trade in 1768 great emphasis is placed upon the general commercial and political inutility of the proposed colonies, but there is no suggestion that the matter of expense stood in the way. On the other hand there is an intimation that the clause in the proclamation of 1763, reserving the interior country for the use of the Indians, was inserted there on the principle that all settlements should be confined to the sea-coast. Again in a similar report in 1772 against

[106] A few weeks later Gage replied to Hillsborough: "From what has been represented your Lordship will perceive that I am not of opinion that a Post at the Illinois will be productive of advantages equal to the expence of supporting it." June 16, 1768, P. R. O., Am. and W. I., vol. 124. Two years later he again wrote to Hillsborough: "I conceive that to procure all the commerce it will afford and at as little expence to ourselves as we can, is the only object we should have in view in the interior Country for a century to come . . . I am of opinion the advantages we might propose to gain from Civil and Military Establishments at the mouths of those Rivers [Ohio and Illinois] would be greatly disproportionate to the Expences, they would be attended with." November 10, 1770, *ibid.*, vol. 126. Hillsborough writes in the same year: "Forts and Military Establishments at the mouths of the Ohio and Illinois Rivers, admitting that they would be effectual to the attainment of the objects in view would yet, I fear, be attended with an Expence to this Kingdom greatly disproportionate to the advantages to be gained and those objections to Civil Establishments which I have above stated, do weigh so strongly against that measure in the scale both of general and local policy, as greatly to discourage that idea." The latter part refers to his argument against the commercial utility of a regular settlement in the West, which he declared, "cannot be of that commercial benefit to the state which it would be of in other places". Hillsborough to Gage, July 31, 1770, *ibid.*

the proposed Vandalia or Walpole grant,[107] emphasis is placed upon that clause; indeed it is advanced as the chief argument for the rejection of the proposition.[108] But nowhere in the Hillsborough-Gage correspondence is there the slightest intimation that Hillsborough had the proclamation of 1763 in mind. It would seem reasonable to assume that if he believed that the clause in that document

[107] After 1768 the attention of land and colony promoters was turned to the region of the upper Ohio River valley. In 1768 the long-proposed Indian boundary line was determined at the treaty of Fort Stanwix and there was opened up for colonization a wide strip of territory in that region. A company was formed in the same year for the establishment of a colony, some of the members being Benjamin Franklin, Thomas Pownall, Thomas Walpole, and the firm of Baynton, Wharton and Morgan. In 1770, the crown was petitioned for a grant, but in 1772 the Board of Trade, still under the leadership of Hillsborough, reported adversely. This report called forth a vigorous answer from Dr. Franklin, which completely demolished the arguments of Hillsborough. His successor, Lord Dartmouth, began at once to make arrangements for the establishment of a colony, but the whole matter was dropped on the outbreak of the American Revolution. For a full account see Alden, *New Governments West of the Alleghanies before 1780*, 19–35. The following writers have confused the Walpole grant with the plan of 1766: Hinsdale, *Old Northwest*, 133; Peyton, *Hist. of Augusta Co., Va.*, 144 ff; Fitzmaurice, *Life of Shelburne*, II, 31; Bigelow, in Franklin's *Works*, IV, 136; Perkins, *Annals of the West*, 127; Adams, *Maryland's Influence upon the Land Cessions to the U. S.*, 13.

[108] This interpretation by Hillsborough may be entirely disregarded. He was not responsible for that particular clause in the proclamation. It was conceived and written by Lord Shelburne himself, as has been pointed out by Alvord, "Genesis of the Proclamation of 1763", in *Mich. Pioneer and Hist. Colls.*, XXXVI, 31 ff. He has shown that Shelburne did not have in mind the principle of confining the colonies to the sea-coast. Coffin, in *Province of Quebec and the Am. Rev.*, 428, and Alden, in *New Governments West of the Alleghanies before 1780*, 43–44, have also rejected Hillsborough's interpretation. For the old view that the proclamation was intended to confine the colonies to the sea-coast, see for example Hinsdale, *Old Northwest*, ch. VIII, and the same author, "The Western Land Policy of the British Government from 1763 to 1775", in *Ohio Archaeological and Historical Quarterly*, December, 1887. There is positive proof of Shelburne's position in a minute submitted by him to the cabinet in 1767, Lansdowne MSS., vol. L, p. 185.

stood in the way, some mention of it would have been made in his many communications to General Gage and Sir William Johnson. Nor does Franklin intimate it in any of his private correspondence on the subject. In order to justify his position with some appearance of legality, it is probable that Hillsborough brought forward that clause in the proclamation, which had been interpreted by nearly every one else as merely temporary in character.

There was still another important reason for the rejection of interior settlements, which comes to light in contemporary correspondence, but which is not contained in the report of the Board of Trade. During this period Louisiana, with New Orleans commanding the mouth of the Mississippi River, was in the hands of Spain. New Orleans was practically the only outlet for the western country, and it was the settled conviction of many that so long as it remained in the possession of a foreign power, it was useless to expect much from the West. In 1768 Lieutenant George Phyn of the regular army was sent from Fort Pitt down the Ohio and Mississippi rivers to Mobile, and in writing to Sir William Johnson he declared that the country in and about the Illinois region would never be settled "with any advantage to England" unless New Orleans were procured.[109]

In a communication to Secretary Hillsborough in 1770, in which he argued at length against the establishment of settlements or of any additional military posts in the West, General Gage declared that no further time or money should

[109] April 15, 1768, Johnson MSS., vol. XXV, no. 109. He affirmed that a settlement "will never happen with any advantage to England until we can procure the Ideal Island of Orleans: . . could we find passage for even small craft to go to the Sea, the Country of the Illinois would be worthy of attention, but had we the Island of Orleans, that country would in a very short time I believe be equal to any of our Colonies." *Ibid.*

be expended on that country, and particularly the Illinois country, because it would be of no conceivable "advantage to the King's subjects, unless New Orleans was added to His Majesty's Possessions".[110]

In the same year Lord Hillsborough himself mentioned one of the chief objections which he considered to "lie against Colonies in the Illinois with a view to the Peltry Trade, which is the peculiar Commerce of that Country." "This Commerce", he affirmed, "cannot (I apprehend) be useful to Great Britain otherwise than as it furnishes a material for her Manufactures, but it will on the contrary be prejudicial to her in proportion as other Countries obtain that material from us without its coming here first; and whilst New Orleans is the only Port for Exportation of what goes down the Mississippi, no one will believe that that town will not be the market for Peltry or that those Restrictions, which are intended to secure the Exportation of that Commodity directly to G. Britain, can have any effect under such circumstances."[111]

In this connection it should be noted that throughout this decade there were serious thoughts of an attack upon Louisiana and New Orleans should a war with Spain afford the opportunity. One of the reasons offered by Governor Franklin in 1766 for the establishment of a colony in the Illinois country was that such a colony would enable the English to get possession of the whole of Louisiana "should a future war make it expedient".[112] We find Gage himself discussing with General Haldimand, who was stationed in

[110] November 10, 1770, P. R. O., Am. and W. I., vol. 126.

[111] Hillsborough to Gage, July 31, 1770, *ibid.*

[112] Reasons for the Establishment of a Colony, Franklin Papers (Am. Phil. Soc.), vols. XXVII, XXVIII; same idea expressed in Remarks on Lord Barrington's Plan, no. 2, Lansdowne MSS., vol. L, p. 80.

West Florida during the latter half of this period, possible plans for an attack in case war should be declared. [11]

In 1770 the cherished opportunity seemed to have arrived. In that year the dispute between England and Spain over the possession of certain of the Falkland Islands, lying near the Strait of Magellan, brought the two nations to the verge of war.[114] Hillsborough evidently expected war, for in January, 1771, he communicated secret instructions to Gage in New York[115] to mobolize an army and to prepare for the invasion of Louisiana. He commissioned Gage as commander of the invading forces and instructed him to use his own judgment as to the time and method of attack. Gage replied[116] that he would at once assemble a body of troops and prepare for the invasion. He further

[113] Hamilton, *Colonial Mobile*, 2–29. The English officers in West Florida were instructed to inform Gage as to the number of troops and inhabitants the Spaniards might bring to Louisiana, and whether any of the old French colonial troops entered the Spanish service, Gage to Brigadier Taylor, June 10, 1766; B. M. Add. MSS., 21, 662, fol. 214. In 1767, General Haldimand sent Captain Marsh from Pensacola to New Orleans to make a special inquiry relative to the British trade, the disposition of the French and Acadians towards the Spanish, and the treatment of the Indians and French by the Spaniards, J. Marsh to Haldimand, November 20, 1767, *ibid.*, 21, 728. The keenest interest was always taken in the movements of the Spanish, especially with reference to how many troops were to be sent up the Mississippi and how many and what ports on that river were to be garrisoned. See for example, Captain Innis to Haldimand, October 11, 1769, Can. Arch., series B, vol. 69, p. 60. Haldimand wrote to Gage, June 12, 1770, that "although on the one hand the military Force, which you are informed General O'Reilly intends to leave in the Colony, is too small to create much alarm, yet on the other the appointment of a Company of French under the Command of an Active French Officer for the upper Posts of the Mississippi is a circumstance that wears a suspicious appearance." P. R. O., Am. and W. I., vol. 126.

[114] Hunt, *Pol. Hist. of Eng.*, X, 112–114.

[115] January 2, 1771, P. R. O., Am. and W. I., vol. 127. See Documentary Appendix, no. 3.

[116] Gage to Hillsborough, April 2, 1771, P. R. O., Am. and W. I., vol. 127. See Documentary Appendix, no. 4.

declared his intention of approaching Louisiana and New Orleans by way of the Ohio and Mississippi rivers, and actually sent reinforcements to Fort de Chartres.[117] Soon after the despatch of Hillsborough, however, Spain acceded to the demands of England, and the attack upon New Orleans was given up.[118]

In conclusion it may be observed that after 1768 the attention of those most interested in the colonizing of Illinois was turned in another direction. In that year, at the treaty of Fort Stanwix, the boundary line between the Indians and the whites was determined, thus opening for settlement a large tract of land in the region south of the Ohio River. There was formed in the same year a company, called the Walpole or Vandalia Company, for the purpose of establishing a colony there. Although Hillsborough again opposed the scheme, he was overruled, and the grant was made. But the Revolution put an end to further progress in the scheme. In the Illinois country there was another revival of land speculation in 1773, which, however, was simply an attempt of individuals and companies to purchase large tracts of land from the Indians without applying to the crown, a proceeding manifestly contrary to the proclamation of 1763.[119]

[117] "I have advices that the Artillery and Stores sent down the Ohio for Fort Chartres, have got into the Mississippi, and were going up to the Fort. The prospect of a war with Spain could not be concealed, for the news had been conveyed by many hands." Gage to Hillsborough, August 6, 1771, P. R. O., Am. and W. I., vol. 127.

[118] Gage to Hillsborough, March 7, 1771, *ibid.*

[119] It is of interest to note that in 1770, Dr. Connolly, a nephew of George Croghan, and a prominent land speculator in the West, proposed to George Washington that a colony ought to be erected south of the Ohio River, "to be bounded . . . by the Ohio northward, and westward, the ridge that divides the waters of the Tennessee or Cherokee River southward and westward, and a line to be run from the falls of Ohio, or above, so as to cross the Shawna River above the fork of it". "Washington's Tour on the Ohio", *Writings*, ed. Ford, II, 315.

CHAPTER VII.

The Struggle for a Civil Government, 1770-1774.

The action of Commandant Wilkins in abolishing the court of judicatory and in assuming again all judicial powers,[1] aroused the French people in Illinois to take a decided stand for their rights. From this time they ceased to depend on their English associates, whose actions were often inspired by selfish motives, and who were frequently connected with the speculative schemes of the eastern merchants for exploiting the country by means of American settlers. The French people perceived that their interests would not be subserved by such measures, and that they might fulfill by themselves along different lines what had been in the minds of the English speculators. Under the administration of Lord Hillsborough, the great opponent of western expansion, restriction seemed to have become a permanent policy, and by 1770 many of the English traders, who had been interested in the promoters' schemes, had become disheartened and were leaving Illinois. The plan of a French colony appeared to be justified, however, by the actual settlements in existence, and the French leaders might reasonably hope that, proper representations being made to the ministry, no opposition to the creation

[1] See above, ch. IV, p. 72. Regular sessions of a court were held from July, 1770, to January 30, 1773, but there were no regular judges, and the judgments were those of the military commandants, see MS. Court Record (Chester, Illinois).

of a French colonial government on the Mississippi would be met.

It was with this idea in mind that the leaders of the French inhabitants called an assembly on August 24, 1770, shortly after the downfall of the court.[2] Daniel Bloüin, a citizen of Kaskaskia, was chosen to go to New York and explain the situation to General Gage.[3] He took with him a document enumerating some of the grievances of the people against the military commandant and certain of the English merchants,[4] and instructions to use all possible efforts to obtain the promise of a civil government for the country.[5] The French people had thus advanced beyond their position of 1768,[6] and, without the assistance of the resident English,[7] had assumed the initiative in a new movement for the extension of civil rights to the colony.

The French agent, Daniel Bloüin, chose as an associate in this mission William Clazon, a Frenchman with some understanding of English usages.[8] Arriving in New York

[2] MS. Court Record, p. 108.

[3] *Ibid.*, p. 107; Hamilton to Gage, August 8, 1772, P. R. O., Am. and W. I., vol. 128; Gage to Dartmouth, January 6, 1773, *ibid.*

[4] Gage to Hillsborough, August 6, 1771, *ibid.*, vol. 127; Gage to Dartmouth, January 6, 1773, *ibid.*, vol. 128; Bloüin to Dartmouth, October 6, 1773, B. T. Papers (Hist. Soc. Pa.), vol. XXXI.

[5] He was authorized "à faire toutes les Démarches légitimes qui 'l conviendera de faire en notre nom pour tâcher d'obtenir de son Excellence Monsieur le Major Général Thomas Gage . . . le redressement de nos Griefs, et Prier sa ditte Excellence . . . d' entercéder Pour nous auprès de sa Majesté afin d'en obtenir l'Establissement du Gouvernement Civil . . . " MS. Court Record, p. 107.

[6] See above, ch. IV, p. 60.

[7] There is no trace of Morgan in Illinois after 1770. Many others left about the same time, see Gage to Dartmouth, May 5, 1773, P. R. O., Am. and W. I., vol. 128.

[8] Gage to Hillsborough, August 6, 1771, *ibid.*, vol. 127. Clazon's name does not appear as a resident of the Illinois villages, nor has his name been located in the Canadian genealogical registers. For Gage's estimate of Clazon see below, p. 151.

in 1771, they presented their credentials and memorial to General Gage on July 9th,[9] and prayed that a civil government be established in the Illinois country. Although their reception was not very favorable, Gage finally did demand an outline of their plan.[10] The agents set to work to produce a draft of government[11]—Gage speaks of it as a rough

[9] Bloüin to Dartmouth, October 6, 1773, B. T. Papers (Hist. Soc. Pa.), vol. XXXI. The exact date of their departure from Illinois and arrival in New York does not appear. September 3, 1770, Bloüin gave power of attorney to continue during his absence to Joseph Charleville, his father-in-law, Louis Viviat, and Piérre Girardot, Kaskaskia Record Book, British Period. He was still in Illinois in November, 1770, for in that month he acted as attorney for Viviat, *ibid.*, p. 171. It is probable that they arrived in New York in the early summer of 1771.

[10] Gage to Dartmouth, January 6, 1773, P, R. O., Am. and W. I., vol. 128.

[11] This episode has been discussed by several writers. In *Hist. of U. S.*, IV, 741, Bancroft states that the people of Illinois met together and prepared a plan of government, providing for institutions like those of Connecticut, which was forwarded by them to General Gage through their agent Daniel Bloüin. This, however, is an error. In detailing the account of his negotiations with the agents, Gage declared that "he [Bloüin] presented me memorials that related solely to complaints of which he desired redress, but delivered no memorials containing propositions for the forming of a Civil Constitution which from the contents of my Dispatch, Your Lordship was led to conclude I had received from him. The people's wishes or desires of a Civil Government being however, mentioned, gave occasion to my sending afterwards to Mr. Bloüin and his associate Mr. Clazon to know what kind of Government the people expected and w'd be satisfied with . . . ; and received for answer that it would require a great deal of time to form a plan of the kind." He then asked for a brief outline of their plan, and they drew up a "rough sketch", Gage to Dartmouth, January 6, 1773, P. R. O., Am. and W. I., vol. 128. This letter was in answer to that of John Pownall, one of the under secretaries, who wrote on October 7, 1772: "I think it necessary in the absence of Lord Dartmouth who is at present in the Country, to acquaint you that your Dispatch No. 76, has been received and laid before the King, but the regulations for a Civil Government proposed by the Inhabitants of the Illinois . . . were not included in your Packet." *Ibid.*, and Dartmouth Papers, *Fourteenth Report, Royal Hist. MSS. Comm.*, Appendix X, 98. Gage answered Pownall as follows: "You had good

outline—which was probably the work of Clazon, for the model of the proposed government was the constitution of Connecticut,[12] the most liberal of the eastern colonies, of which the average Illinois Frenchman could have known nothing.

Such a proposition was naturally rejected by the general,[13] who, in order to gain more information concerning their actual sentiments, and to discredit, if possible, the two representatives,[14] directed Major Hamilton, the acting commandant in Illinois, to sound the people as to their

Reasons from my Letter and the Extract inclosed, to suppose that there had been an Omission in not transmitting the said Proposals of the Inhabitants, but I never received them from Monsieur Bloüin and I explain that matter by this Opportunity to the Earl of Dartmouth." January 6, 1773, P. R. O., Am. and W. I., vol. 128. Bancroft's error has been repeated by Mason, *Chapters from Ill. Hist.*, 282, and by Parrish, *Historic Ill.*, 158.

[12] Gage to Dartmouth, January 6, 1773, P. R. O., Am. and W. I., vol. 128.

[13] "It cannot be suggested that a regular Constitutional Government can be established amongst a people who are settled and scattered in a far distant desert . . . They don't deserve so much attention or expence . . . " Gage to Hillsborough, March 4, 1772, Sparks MSS., XLIII, vol. 3, p. 164. "They were told propositions of that sort would not be received, and that I would not confer with them on the Subject of a Government to be so constituted." Gage to Dartmouth, January 6, 1773, P. R. O., Am. and W. I., vol. 128. The proposal would have met the same fate had it been carried to the ministry, for upon hearing of the movement, Secretary Hillsborough, just before his retirement, wrote to Gage: "Some arrangements for the Inhabitants of the Illinois Country may be necessary, but as I agree with you in opinion that a regular Constitutional Government for that District would be highly improper, I am not without apprehension that any Plan, however limited, may be wrested [*sic*] to bad purposes, and will in a greater or less degree operate to fix what we both think it would be better to remove." July 1, 1772, Sparks MSS., LXIII, vol. 3, p. 165.

[14] "These two people have been a long time here, and are not to be relied on", Gage to Haldimand, June 3, 1773, Can. Arch., series B, vol. 5, p. 142. See also Gage to Hillsborough, September 2, 1772, P. R. O., Am. and W. I., vol. 127, and Gage to Haldimand, January 5, 1774, B. M., Haldimand Papers, Corr. with Gage, 1758–1777, vol. IV.

wishes.[15] The commandant was likewise requested to circulate among the French a plan of government draughted by Gage himself,[16] which if endorsed by them, might be

[15] Gage to Hillsborough, April 13, 1772, P. R. O., Am. and W. I., vol. 127.

[16] The current opinion has been that Lord Dartmouth, who succeeded Hillsborough as secretary for the colonies in August, 1772, drew up the sketch and forwarded it through Gage to Illinois. Bancroft, *Hist. of U. S.*, IV, 472, says that Dartmouth "censured the ideas of the inhabitants of the Illinois District with regard to a Civil Constitution . . . and rejected their proposition to take some part in the election of their rulers . . . A plan of Government was therefore prepared of great simplicity, leaving all power with the executive officers of the crown, . . ." "Dartmouth prepared and forwarded to Illinois what he called a 'Sketch of Government for Illinois'", Mason, *Chapters from Ill. Hist.*, 283. "His [Hillsborough's] successor, Lord Dartmouth, took a similar view, and immediately drew up what he termed 'A Sketch of Government for Illinois', and returned it with his compliments, into the western wilderness . . ." Parrish, *Historic Ill.*, 159. The statements quoted are quite inaccurate. Gage wrote to Hillsborough April 13, 1772, as follows: "The Officer commanding at the Illinois . . . is directed to sound the sentiments of the people on the subject of a Civil Government . . . I sent him a Sketch of what I proposed which I have now the honour to transmit Your Lordship, with a list of the Officers of Government and their respective Salarys." P. R. O., Am. and W. I., vol. 128. There is an abstract (in English) of the sketch in the Public Record Office, endorsed as having been inclosed in Gage's letter of the 13 of April. On July 1 Gage reported to the secretary that he "had not yet received an answer concerning the Government proposed to the Inhabitants of Illinois", *ibid.* In the summer of 1773 Gage was summoned to England to give the government information on colonial affairs and General Haldimand was left in charge of the American army and of the West. October 6, 1773, Bloüin wrote to Dartmouth from New York: "That worthy general had scarcely departed from America, when a secret Enemy to his Glory . . . found means to cause the Inhabitants of the Illinois to be assembled by the Commanding Officer there, and presented with an anonymous Writing, which, they were told, came from the General, and a Plan of the Form of Government, which they were requested to solicit through his Intercession." B. T. Papers (Hist. Soc. Pa.), vol. XXXI. A few weeks later he again wrote to Dartmouth: "I have delivered to Gen'l Haldimand a literal Copy of the Sketch I mentioned to your Lordship in the letter of which I now enclose the duplicate with another Copy and translation of that Sketch." November 4, 1773, P. R. O., Am. and W. I., vol. 128. It is curious that Bancroft should have made the mistake, since he refers to other portions of this letter in his text, and there is among his manuscripts a copy of the letter. Note

granted by the ministry. The plan [17] contained some popular elements, but provided also for certain appointive officers—a governor of the district, and a magistrate for each of the villages of Kaskaskia and Cahokia, and one for the three remaining villages. A grand council was to be formed, consisting of the governor, and five or six councilors elected by the inhabitants. In minor civil and criminal cases the individual magistrates were to have jurisdiction. The "Chamber of Kaskaskia" was the next higher court, consisting of three magistrates sitting together. From this court an appeal might be taken to the grand council, whose decision was to be final. The governor and council were also to legislate for the better government of

also the following extract of a letter from Gage to Haldimand, written from London, January 5, 1774: "The Paper given you by Bloüin and Clajon, is an exact Copy of that I sent to the Illinois, for the Commandant to show the Inhabitants, and endeavour to persuade them to petition for a Government of that Nature." B. M., Haldimand Papers, Corr. with Gage, 1758–1777, vol. IV. For another declaration from Gage as to his part, see Gage to Haldimand, June 3, 1773, Can. Arch., series B, vol. 5, p. 142. It may be observed further that when the sketch of government was drawn up and sent to Illinois, Lord Dartmouth had nothing to do with American affairs. He did not take charge of the colonial office until August, 1772. See Appendix to Hunt's *Pol. Hist. of Eng.*, X, 473.

[17] The original sketch, in French, unsigned and undated, is among the Kaskaskia Papers. There is also a copy in the British Museum, Add. MSS., 21,687, subscribed to by a notary public in Kaskaskia, June 13, 1773, and by William Clazon in New York, November 2, 1773. It is endorsed, however, as being a "Memoire des Habitants des Illinois, qui fut presenté par Mess. Bloüin et Clargeon." This copy had been sent by the inhabitants of Illinois to their representatives in New York, according to the letter of Bloüin to Dartmouth cited above in note 9, and was placed by them in Haldimand's hands. The endorsement is evidently the work of a clerk, who did not understand the situation, and has caused one or two errors to be made. In the calendar of Haldimand Papers, *Can. Arch. Rept.*, 1885, 203, the document is described as a "Memorial of the inhabitants of the Illinois for a Civil Government, presented by Messrs. Bloüin and Clargeon, on the 3rd of November, 1773 (in French)." Coffin, *The Province of Quebec and the Early Am. Rev.*, 417, n. 2, takes the statement in the *Can. Arch. Rept.* in good faith.

the country, regulate fees for the support of the courts, and fines for certain crimes, which, with confiscations, were to be applied to the extra expenses of the government. The estimated expense of the proposed government was three hundred and nine pounds, seven shillings sterling per annum.[18]

In pursuance of Gage's orders Commandant Hamilton convened the principal inhabitants of the village in the summer of 1772, and addressed them on the subject of a civil government.[19] "They were very high on the Occasion", however, and "expected to appoint their Governor and all other Civil Magistrates."[20] Upon being requested to draw up their plan in writing and sign it, the French informed Hamilton that they had deputed Daniel Bloüin to represent them before General Gage, and that until they could learn what success he had met with, they would give no definite answer.[21]

A few weeks later Gage transmitted to Secretary Hillsborough the following account of the negotiations up to that time: "An answer has been returned to the Proposals sent to the Illinois for the arrangements for that Country with an Account of the motives the people of those Settlements have formed of a Civil Government; which I transmit your Lordship in the inclosed Extract of a Letter from Major Hamilton. Those ideas were given them by the Mons. Bloüin mentioned in the Major's Letter, or rather an associate of his named Clajon, a Frenchman by birth, an ad-

[18] "Civil Officers for the Illinois", in General Gage's of April 13, 1772, P. R. O., Am. and W. I., vol. 127. In this memorandum Gage suggested that the governor receive 182 pounds sterling per annum, each of the magistrates 800 French livres, and a secretary to the governor and council and keeper of the records 500 livres.

[19] Hamilton to Gage, August 8, 1772, P. R. O., Am. and W. I., vol. 127.

[20] *Ibid.*

[21] *Ibid.*

venturer, artful and intelligent, who, after passing some years in these Colonies went to the Spanish side of the Mississippi and during his residence in the Colonies, he learnt the English language and got a shallow knowledge of our Laws. Those two People came to me from the Illinois about twelve Months ago; but from their character, the disturbance they had occasioned in the Country, and the extravagant proposals they brought, I refused to enter into any Conference with them on subjects that had relation to Civil Government."[22]

Although Gage apparently gave the French leaders little encouragement, they had hope that in time some sort of civil government would be established. During the visit of the French representatives in New York there was published in Philadelphia, in 1772, a pamphlet entitled "Invitation Sérieuse aux Habitants des Illinois", which emanated from some member of the French party seeking a new government.[23] The writer of this French tract urged his neighbors in Illinois to shake off the lethargy which had so long enveloped them, and win economic independence for the colony. They were urged to follow the example of their enterprizing friends who lived among them. He argued that if the British government had fully understood the situation of the Illinois French who had not as yet enjoyed any ben-

[22] September 2, 1772, P. R. O., Am. and W. I., vol. 127. Gage further declares that "Clazon is the chief mover, and puts all into the mouth of Bloüin, and since his residence in our Provinces is become a mere Republican." Gage to Haldimand, January 5, 1774, B. M., Haldimand Papers, Add. MSS., 21,655. In a letter to Haldimand, June 3, 1773, Gage wrote: "They [Bloüin and Clazon] shewed me a Sketch of a Republican Government two years ago, which they were told would not be received." Can. Arch., series B, vol. 5, p. 142.

[23] See reprint of this pamphlet in *Publications of Club for Colonial Reprints*, IV, with introduction and notes by C. W. Alvord and C. E. Carter, wherein an attempt is made to trace its authorship to Bloüin and Clazon.

efits from becoming English subjects, it would long since have granted them a civil government. He also prophesied that in a short time the right to enjoy their religion would be confirmed and a civil government established.

The French party failed, however, to obtain a government along the lines applied for.[24] Not only was Lord Hillsborough opposed to it, but his successer Lord Dartmouth declared himself against such a popular form of government. Writing to Gage March 3, 1772, he explained his position: "The Propositions toward forming a Government for the Illinois Country, suggested to you long ago by the Inhabitants of that District were certainly in the outline of them too absurd and extravagant to afford the least ground for consideration."[25]

The attention of the authorities had been called, however, to the needs of the Illinois villages: indeed for a number of years considerable thought had been given to their disposition. The idea was at times advanced of removing

[24] Compare this movement with the proposals of Major Robert Rogers to erect a civil government at Michilimakinac in 1767. In a long report on Indian and trade conditions at the northern post Major Rogers declares that the only remedy for existing evils is to establish a government there. He proposes that "Michillimackinac and its dependencies, should be erected into a Civil Government; with a Governer, Lieutenant Governer, and a Council, of Twelve; chose out of the Principal Merchants, that carry on this valuable branch of Trade [fur-trade] with Power to enact, such Laws as may be necessary and these be transmitted to the king, etc., for Approbation: That the Governer, should be Agent for the Indians, and Commandant of the Troops, that may be ordered to Garrison the Fort . . . " In a closing paragraph he says: "Whereas by the propos'd Plan, all are under a Civil Power and ye Gov. Commandant of the Troops, and Agent to the Indians—Which wou'd cause every Branch to be countenanc'd for the mutual safety of each other." "Journal of Major Rogers' Proceedings with the Indians at the Garrison of Michilimakinac from May the 24th to July 23d, 1767", MS. in Am. Antiq. Soc. Lib.

[25] Dartmouth to Gage, March 3, 1773, B. M., Haldimand Papers, Add. MSS., 21,697. For the same opinion, see same to same, November 4, 1772, P. R. O., Am. and W. I., vol. 128.

all the inhabitants from Illinois to Canada.[26] Although this was deemed impracticable,[27] it may nevertheless be said that the government was thoroughly anxious to reach a satisfactory solution of the problem. Secretary Hillsborough was fully aware of the situation and was awakened to the necessity of taking some steps, for in 1769 he declared that "if the case of these settlements had been well known or understood at the time of forming the conquered Lands into Colonies, some provision would have been made for them, and they would have been erected into distinct Governments or made dependent upon those Colonies of which they were either the offspring, or with which they did by circumstances and situation, stand connected. I shall not fail, therefore, to give this matter the fullest consideration when the business of the Illinois Country is taken up."[28] We find his successor, Lord Dartmouth, expressing the opinion in 1772 that the "state of the Illinois District appears to me in every light in which it is viewed to require a very serious consideration, and I will not fail to collect as soon as possible those informations which may enable me to form a judgment, as well of the arrangements which have been already made respecting that Country, as of those which may be further necessary, considering it in a light of a Colony of the King's subjects."[29] And more emphatically still a little later he wrote: "It has always appeared,

[26] Hillsborough to Gage, December 4, 1771, P. R. O., Am. and W. I., vol. 127; Gage to Hillsborough, March 4, 1772, Sparks MSS., XLIII, vol. 3, p. 165.

[27] "I fear there are but too many obstacles to such a measure, and therefore it will be the more necessary to consider whether any permanent plan ought to be adopted." Hillsborough to Gage, December 4, 1771, P. R. O., Am. and W. I., vol. 126.

[28] Letter to Gage, December 9, 1769, *ibid.*, vol. 124.

[29] Letter to Gage, November 4, *ibia.*, vol. 128.

and does still appear to me, that if those Inhabitants have (as I conceive they have) a Right, under the Treaty of Paris to continue in their possessions, it is both dangerous and disgraceful to leave that District without such Regulations as may on the one hand insure to the Inhabitants that Protection in their Civil Rights which they are entitled to expect, as on the other hand to secure their Allegiance as Subjects. I shall, therefore, think it my Duty to make this an Object of my attention."[30]

In the meantime events were taking place in Illinois which changed somewhat the attitude of the people. Under the administration of Wilkins the people had evidently suffered a good many indignities. Moreover, at the beginning of his régime we have seen that he did not look with disfavor upon the questionable operations of one of the great trading companies in Illinois, inasmuch as his private interests were being subserved at the same time. But eventually his connection with Baynton, Wharton and Morgan was broken, and party factions began to form. From 1770 to 1772 the whole country was apparently torn by party strife.[31] Wilkins also attempted to enrich himself at the expense of the government by falsifying his accounts and by misappropriating large sums of money.[32] Finally the officers of his regiment preferred

[30] Letter to Gage, March 3, 1773, B. M., Add. MSS., 21,697.

[31] "There has been a strange work at Illinois, very bad Proceedings carried on—indeed most shameful ones. A Quarrel amongst them has laid open scandalous Scenes, and able is Faction." Gage to Haldimand, September 13, 1771, *ibid.*, 21,655.

[32] Engineer Hutchins to Captain Sowers, April 8, 1771, *ibid.;* Gage to Haldimand, September 13, 1771, *ibid.*; Gage to Wilkins, September 16, 1771, Can. Arch., series B, vol. 5, p. 50; Captain Sowers to Gage, September 17, 1771, *ibid.*; Gage to Haldimand, June 9, 1772, *ibid.*, p. 103. For a denial by Wilkins see Wilkins to Gage, April 7, 1772, *ibid.*, p. 76.

serious charges against him,[33] and he was dismissed from the service in September, 1772.[34] His successor, however, did not arrive until the following spring, after which Wilkins sailed for England.[35] Major Isaac Hamilton took charge of the fort temporarily,[36] but was relieved in a few weeks by Captain Hugh Lord,[37] who took up his post at Fort Gage, near Kaskaskia, because Commandant Hamilton,[38] acting under orders from Gage,[39] had destroyed Fort de Chartres on account of the ravages of the Mississippi River.[40] During the next two years the relation between

[33] Gage to Haldimand, September 1, 1773, B. M., Add. MSS., 21,655.

[34] Gage to Haldimand, September 13, 1771, *ibid.*

[35] Haldimand to Gage, July 14, 1772, Can. Arch., series B, vol. 5, p. 109.

[36] Gage to Hillsborough, July 1, 1772, P. R. O., Am. and W. I., vol. 128. There is but one document, aside from a letter, in which Hamilton signs himself as commandant in Illinois. June 6, 1772, he approves the decision of an arbitration court, Kaskaskia Record Book, p. 180.

[37] Gage to Hillsborough, September 2, 1772, P. R. O., Am. and W. I., vol. 128.

[38] Thomas Willing to Haldimand, July 6, 1772, B. M., Add. MSS., 21,721; Gage to Hillsborough, September 2, 1772, P. R. O., Am. and W. I., vol. 128; Gage to Johnson, September 4, 1772, General Gage's Letters, Harvard College Library; Gage to Haldimand, June 3, 1773, Can. Arch., series B, vol. 5, p. 142.

[39] Cabinet Minute, December 1, 1771, Dartmouth Papers, *Fourteenth Report, Royal Hist. MSS. Commission*, Appendix X, 81; Hillsborough to Gage, December 4, 1771, P. R. O., Am. and W. I., vol. 127; Gage to Hillsborough, March 4, 1772, Sparks MSS., XLIII, vol. 3, p. 165; Gage to Haldimand, March 16, 1772, Can. Arch., series B, vol. 5, p. 73; Gage to Hillsborough, April 13, 1772, P. R. O., Am. and W. I., vol. 128. The current opinion has heretofore been that the Mississippi floods destroyed the fort. See any State history for statement to that effect.

[40] For an account of the anxiety felt for the security of the fort, and of the various attempts to secure it, see Wilkins to Gage, September 13, 1768, P. R. O., Am. and W. I., vol. 124; Gage to Hillsborough, January 6, 1770, *ibid.*, vol. 126; same to same, December 7, 1770, *ibid.*; Hillsborough to Gage, February 11, 1771, *ibid.*, vol. 127; same to same, July 3, 1771, *ibid.*

commandant and people was greatly altered. Captain Lord entered upon a policy of conciliation, and in a short time won the confidence and respect of the inhabitants,[41] with the result that their clamor for a change of government was considerably minimized. The tact which he displayed in his relations with the French, and his boldness in dealing with the Indian nations[42] likewise elicited the commendation both of the commanding general and of the home authorities.[43] The abuses and disorders of previous years had been largely a matter of controversy and mutual accusation, but with the removal of Wilkins, and the ejec-

[41] See for example, letter of Daniel Bloüin to Dartmouth, October 6, 1773, wherein he speaks of Captain Lord as acting "so fairly", B. T. Papers (Hist. Soc. Pa.), vol. XXXI. The Kaskaskia Records show no evidence of the least hostility to Lord, and the official correspondence likewise reveals no proof of friction.

[42] The period from 1772 to 1774 was a critical one in Indian affairs throughout the West. In 1774 occurred the Dunmore War, involving the borders of Pennsylvania and Virginia, and at the same time all the western Indians were extremely uneasy. Murders and raids were especially frequent in Illinois. For illustrations of this and of Commandant Lord's conduct, see Lord to Gage, April 20, 1772, Can. Arch., series B, vol. 27, p. 204; Letter of Charles Stuart, May 1, 1772, *ibid.*, vol. 12, p. 118; Gage to Hillsborough, May 6, 1772, P. R. O., Am. and W. I., vol. 128; Gage to Johnson, May 12, 1772, General Gage's Letters, Harvard College Library; Hamilton to Stuart, May 29, 1772, Can. Arch., series B, vol. 12, p. 75; Lord to Stuart, May 30, 1772, *ibid.*, p. 77; Gage to Johnson, September 4, 1772, General Gage's Letters; Dartmouth to Gage, November 4, 1772, P. R. O., Am. and W. I., vol. 128; Gage to Johnson, December 15, 1772, General Gage's Letters; Gage to Johnson, March 31, 1773, *ibid.*; same to same, April 25, 1773, *ibid.*; Lord to Gage, April 20, 1773, B. M., Add. MSS., 21,687; Gage to Dartmouth, June 2, 1773, P. R. O., Am. and W. I., vol. 128; Haldimand to Gage, August 31, 1773, Can. Arch., series B, vol. 5, p. 182; Haldimand to Dartmouth, August 31, 1773, B. M., Add. MSS., 21,695; Dartmouth to Johnson, December 1, 1773, *N. Y. Col. Docs.*, VIII, 404; letter to Gage, July 3, 1774, Can. Arch., series B, vol. 5, p. 280; letter to Charles Stuart, July 22, 1774, *ibid.*, vol. 12, p. 388.

[43] Gage to Dartmouth, February 8, 1773, P. R. O., Am. and W. I., vol. 128; same to same, May 5, 1773, *ibid.*; same to same, June 2, 1773, *ibid.*; Dartmouth to Haldimand, December 1, 1773, Johnson MSS., vol. XXV, no. 221.

tion from the country of the English and French concerned in the disputes,[44] complaints became less frequent.[45]

The government was anxious, nevertheless, to displace the military government by one more suited to the needs of the people. Although the constitution proposed by the French representatives was not acceptable, the authorities were willing to establish one along the lines suggested by Gage in 1772,[46] which was certainly an improvement over the military government and over the system under which they had lived during the French régime. Gage ordered the commandant, therefore, to give the people another trial and to intimate to them that their request for a government of such a character would be favorably received, provided their petition be forwarded from Illinois through the regular military channels.[47] But the changed condition of things in Illinois had brought about a feeling of

[44] Gage to Haldimand, May 5, 1773, P. R. O., Am. and W. I., vol. 128.

[45] *Ibid.*

[46] "A Civil Establishment at the Ilinois has been very long an object of consideration; and as I have comprehended the matter, the only obstacle towards the completion of it, has been the Difficulty of forming a Government of small Expence, and suitable to their Situation and Circumstances." Gage to Dartmouth, May 5, 1773, *ibid.* "There have been Thoughts of a Civil Government at the Ilinois, if the people should desire one in such a Form as His Majesty could grant and suitable to their situation." Gage to Haldimand, June 3, 1773, Can. Arch., series B, vol. 5, p. 142.

[47] "I have . . . wrote to the Commanding Officer at Kaskaskies to desire he would confer again with the people of the Ilinois on the subject of a Civil Government, and endeavour to prevail on them to send, thro' him, some reasonable proposals on that head . . . ." Gage to Dartmouth, April 7, 1773, P. R. O., Am. and W. I., vol. 128. "Captain Lord has again Orders to try the people on the Subject and to prevail on them to apply properly through their Commanding Officer." Gage to Haldimand, June 3, 1773, Can. Arch., series B, vol. 5, p. 142. Gage further says that he "gave the Inhabitants of that Country to Understand I should receive no Proposals but through their Commander". Gage to Haldimand, January 5, 1774, B. M., Add. MSS., 21,665.

indifference towards the whole question. In a report to General Haldimand, the acting commander-in-chief in 1773, Commandant Lord wrote that "The Inhabitants have given me no answer on the subject of a Civil Establishment." "I believe", he continued, "the apprehension they have of losing all the Troops should the Civil Government be fixed makes them so inactive in the matter. The little money that circulates now comes first from the Troops. Should they be recalled, the inhabitants having no market for their Property, would soon be reduced to the most miserable situation in life." [48] There is no evidence that any further interest was taken in the subject by the inhabitants themselves. [49]

[48] September 3, 1773, Can. Arch., series B, vol. 31, p. 7.

[49] This is somewhat contrary to the current view. Bancroft says on this point: "It was on the fourth of November that the fathers of the Commonwealth of Illinois, through their agent Daniel Bloüin, forwarded their indignant protest against the proposed form, which they rejected as oppressive and absurd; much worse than any of the French or even the Spanish Colonies; . . . 'Should a Government so evidently tyranical be established', such was their language to the British minister, 'it could be of no long duration; there would exist the necessity of its being abolished'." *Hist. of U. S.*, ed. 1854, VI, 472. Mason, *Chapters from Ill. Hist.*, 283, and, quite recently, Parrish, *Historic Ill.*, have enlarged upon the story. They declare that, in a public meeting, and under the leadership of Daniel Bloüin, a protest was drawn up by the inhabitants against the plan proposed by the government, and forwarded to Lord Dartmouth. This is a myth, pure and simple. Bancroft's original statement is based upon a letter written to Dartmouth by Bloüin, dated at New York, November 4, 1773. From this letter Bancroft extracted the detached phrases regarding the oppression, etc., of the plan quoted in his statement. A careful reading of the whole letter indicates, however, that the sentiments expressed are those of Bloüin and Clazon, and not of the people of Illinois. For this letter see P. R. O., Am. and W. I., vol. 128. There is absolutely no record to indicate that any public meeting was held in 1773 to consider a government. Proof of the apathy of the people has just been cited. Nor is there any evidence that Bloüin was in Illinois between 1771 and 1774. For evidence that he was in New York or the East during this time, see Bloüin to Dartmouth, October 6, 1773, B. T. Papers (Hist. Soc. Pa.), vol. XXXI, and Haldimand to Lord, October 13, 1773, B. M., Add. MSS., 21,693.

Another wave of land speculation[50] similar to that of 1766 occurred in 1773, when we find the organization of the Illinois Land Company, composed chiefly of Philadelphians, and in 1775, upon the formation of the Wabash Land Company. William Murray, representing the Illinois Company, purchased from the Indians in 1773 one large tract of land on the Illinois River, and another south of Kaskaskia on the Ohio, both of which the company purposed to colonize. Later the Wabash Company, through its agent Viviat, an Illinois Frenchman, purchased tracts on the Wabash River. These purchases were in direct contravention of the proclamation of 1763, and, although the purchasers exhibited the opinions of Lord Camden and Chancellor York to the effect that such transactions were valid,[51] the government through General Gage annulled the

[50] The following extract from a letter of Gage is of interest in this connection: "There have many reports spread through America concerning New Governments on the Ohio and the Mississippi, and a Book called *Political Essays* has been lately published in London, wherein the Author treats largely of the Colonies. He finds great fault with England for Colonizing in the Manner she has done in the Northern Provinces, and blames the Ministers for not endeavouring to remedy past Errors, by opening new Tracts of fertile Lands to the Westward, to tempt the Northern People to move thither; and talks of the great advantage to be obtained by establishing new Governments . . . He advances many things as Facts, which we all know to be absolute Falsehoods." Letter to Haldimand, May 18, 1772, B. M., Add. MSS., 21,693. Gage refers doubtless to *Political Essays concerning the Present State of the British Empire*, etc. Under section IV, "Defects in the Establishment of the Colonies and the means of Remedying them", he treats of the desirability of settlements on the Mississippi and Ohio. He criticises severely the proclamation of 1763 restricting settlements east of the Alleghany Mountains. James Adair, another contemporary writer, in an elaborate argument, censures the policy of the English Government in refusing to found colonies and governments in the West, on the Ohio and Mississippi rivers, where the surplus population of England and the colonies might go, *History of the American Indian*, 454–460.

[51] Gage to Haldimand, February 2, 1774, Can. Arch., series B, vol. 5, p. 214; Lord to Gage, July 3, 1773, B. M., Add. MSS., 21,687. For the opinion of York see B. M., Add. MSS., 21,687.

grants.[52] This ended the successive attempts to create an independent colony in the Illinois country.

In 1774 came the opportunity to make a final disposition of the Illinois French. During the period under consideration events had so shaped themselves in the neighboring colony of Canada that the ministry was under the necessity of reorganizing the government of that province. The proclamation of 1763 had extended English law to Canada with the result that the French inhabitants were subjected to many hardships. Their grievances were now to be taken into consideration by the government, and as the solution of the western and Canadian problems seemed to be closely connected, the two questions were taken up at the same time. General Gage was summoned home in 1773, and was directed to bring with him every paper relating to the West which might tend to "explain as well the causes as the effects" of the abuses and disorders in Illinois.[53]

[52] For an account of the Illinois and Wabash land companies, see a pamphlet published in Philadelphia in 1796 entitled *Account of the Proceedings of the Illinois and Ouabache Land Companies.* See also memorials in *American State Papers, Public Lands*, vols. I and II. The history of their operations may be traced in the following letters: Lord to Haldimand, July 3, 1773, Can. Arch., series B, vol. 70, p. 132; Lord to Gage, July 3, 1773, Johnson MSS., vol. XXV, no. 211; Johnson to Haldimand, September 30, 1773, B. M., Haldimand Papers, Corr. with Sir William Johnson, 1759–1774; Haldimand to Dartmouth, October 6, 1773, Can. Arch., series B, vol. 35; Haldimand to Lord, October 10, 1773, *ibid.*, p. 110; Haldimand to Johnson, October 20, 1773, B. M., Haldimand Papers, Corr. with Sir William Johnson, 1759–1774; Dartmouth to Haldimand, November 1, 1773, Can. Arch., series B, vol. 35, p. 52; Haldimand to Dartmouth, November 13, 1773, B. M., Haldimand Papers, Corr. with Lord Dartmouth, 1773–1775; Dartmouth to Haldimand, December 1, 1773, Johnson MSS., vol. XXV, no. 221; Haldimand to Dartmouth, January 5, 1774, Can. Arch., series B, vol. 35, p. 62; Dartmouth to Haldimand, January 8, 1774, P. R. O., Am. and W. I., vol. 128; Haldimand to Lord, March 9, 1774, Can. Arch., series B, vol. 33, p. 233; Haldimand to Gage, March 4, 1774, B. M., Add. MSS., 21,655.

[53] Dartmouth to Gage, March 3, 1773, B. M., Add. MSS., 21,697. It was also decided to send an agent into the Illinois country for the

As a result of his recommendations and of the investigations of the ministry the Quebec Act of 1774 was enacted,[54] according to the provisions of which the entire Northwest was included within the limits of the province of Quebec.[55] In the instructions issued to the governor of Canada in January, 1775,[56] we find provisions for the government of Illinois. It was to be governed from Quebec, and a lieutenant-governor or superintendent was to reside at Kaskaskia,[57] at which place also a lower court of King's Bench was to be established to coöperate with the superior courts of the province in general.[58]

These arrangements were not put into execution, however, because of the outbreak of the American Revolution, which absorbed the whole attention of both the home government and Canada. As early as January, 1774, the detachment of troops had been ordered to leave Fort Gage, and the allowance to the commanding officer discontinued.[59]

purpose of making an exact report of every phase of the western problem, including Indian affairs and the temper of the French inhabitants. A Major Hay was selected for the mission. Dartmouth to Haldimand, October 14, 1773, P. R. O., Am. and W. I., vol. 128; Haldimand to Dartmouth, March 2, 1774, B. M., Add. MSS., 21,695; Haldimand to Johnson, April 7, 1774, *ibid.*, 21,670; same to same, April 29, 1774, *ibid.*; letter to Robert Basset, April 30, 1774, *Mich. Pioneer and Hist. Colls.*, X, 260; Johnson to Haldimand, May 5, 1774, Can. Arch., series B, vol. X, p. 165; Guy Johnson to Haldimand, August 20, 1774, Can. Arch., series B, vol. X, p. 178. The results of the mission, however, do not appear.

[54] Text of the Act in *Can. Const. Docs., 1759–1791*, 401–405. This volume also contains the various draughts of the bill. For the best discussion of the act, see Coffin, *Province of Quebec and the Early Am. Rev.*, 275–562.

[55] *Can. Const. Docs., 1759–1791*, 402.

[56] *Can. Arch. Report*, 1904, 229–242.

[57] *Ibid.*, 233. [58] *Ibia.*, 242.

[59] Barrington to Haldimand, February 2, 1774, B. M., Add. MSS., 21,695. See also "List of Officers who have commanded at the Outposts from 25th December 1772 to 24th December 1773 inclusive", *ibid.*, 21,696. Lord and a few of the soldiers did not, however, leave

From this time on little or no attention was paid to western affairs. Illinois was left in the hands of a Frenchman named Rocheblave, who acted as agent for the government from 1776 to 1778.[60] His best efforts to save the country to Great Britain were, however, in vain. As the government had ignored his call for troops, an American army under George Rogers Clark easily effected the conquest of Illinois, and the whole Northwest in 1778.

until the spring of 1776. There is evidence of this in *A Narrative of the Transactions, Imprisonment and Sufferings of John Connolly, an American Loyalist*, 19–29, and in Carleton to Lord, July 19, 1776, B. M., Add. MSS., 21,699.

[60] Alvord, *Ill. Hist. Colls.*, II, xxxi–xliii.

DOCUMENTARY APPENDIX.

I. Memorial of the Mississippi Company to the King and Resolutions for the Government of the Company.[1]

At a meeting of the Mississippi Company at Belleview Sept. 9th, 1763.

Present,

Thomas Ludwell Lee	Presly Thornton
George Washington	James Douglas
Francis Lightfoot Lee	William Fitzhugh, Sen.
Thomas Bullitt	Henry Fitzhugh
Richard Henry Lee	Francis Thornton
Anthony Stewart	George Stimson
William Lee	William Booth
John Aug. Washington	William Brent
Charles Diggs	Robert Brent

A Memorial to his Majesty being read, some amendments made thereto, the same was agreed to and is as followeth :

To the King's most Excellent Majesty.

The Humble Memorial of Inhabitants of Great Britain, Virginia, Maryland, etc.

May it please Your Majesty,

The Memorialists considering it the duty of all good subjects to improve to the utmost of their power the blessings of peace and reflecting how this improvement may be best obtained by the exertions of their abilities and the applications of their fortunes ; have proposed with the approbation and under the pro-

[1] Chatham MSS., vol. 97, Public Record Office, London.

tection of Your Majesty to settle as speedily and as effectually as possible, some part of that vast country on the Mississippi and its waters ; now unquestionably your Majesty's territory by the late Treaty of Peace.

The Increase of the people, the extension of trade and the enlargement of the revenue are with certainty to be expected, where the fertility of the soil, and mildness of the Climate invite emigrants (provided they can obtain Lands on easy terms) to settle and cultivate commodities most wanted by Great Britain and which will bear the charges of a tedious navigation, by the high prices usually given for them,—such as Hemp, Flax, Silk, Wine, Potash, Cochineal, Indigo, Iron, etc., by which means the Mother Country will be supplied with many necessary materials, that are now purchased of foreigners at a very great expense. Especially naval stores so essential to the very being of a commercial state, that it must index great restraints, in all transactions with those powers by whom they are furnished. Whilst the inhabitants of the infant settlements, finding their labor most profitably bestowed upon Agriculture will not think of interfering with the Mother Country in Manufactures but afford a never failing demand for them.

To effect these good purposes the memorialists have formed themselves into a Company by the name of the Mississippi Company, that by a Union of their Councils and fortunes they may in the most prudent and proper manner explore and as quickly as possible settle that part of the Country hereafter mentioned, if your Majesty shall be graciously pleased to indulge them with these conditions.

1st That Your Majesty grant unto your memorialists, being fifty in number by name of the Mississippi Company two million five hundred thousand acres of Land on the Mississippi and its waters, to be laid off within the following bounds beginning upon the East side of the River Mississippi one hundred and twenty miles above or to the northward of the confluence of the River Ohio therewith. Thence by a line to strike the River Wabash or St. Ireon eighty miles above its junction with

the River Ohio. Thence southerly crossing the River Ohio one hundred and twenty miles above the union of the Ohio and Wabash, and abutting on the main branch of the River Cherokee or Tennessee one hundred and fifty miles above the junction of Cherokee River with Ohio and proceeding thence Westerly in a line to strike the River Mississippi ninety miles below the union of Ohio with that River ; thence upon the said River to the beginning.

2ly That your memorialists shall have liberty of holding their lands twelve or any other larger number of years that your Majesty shall approve (after a survey thereof shall have been made and returned) clear of all composition money quit rent or taxes. And that your memorialists within twelve years shall be obliged to seat the said lands with two hundred families, at the least, if not interrupted by the Savages, or any Foreign Enemy, and to return the Survey thereof to such office as your Majesty shall be pleased to direct, otherwise to forfeit the grant, so to be made by your Majesty, and the said lands liable to the entries of any other Adventurers.

The Memorialists humbly hope that Your Majesty may be graciously moved to grant these favorable terms in consideration of the heavy charges and great expences they must necessarily incur, in the exploring, surveying and settling this distant Country and the great risk they will run of losing their property, from their contiguity to the French and their proximity to the Indian Nations. And because it has been proved by experience, that large tracts of land taken up by Companies may be retailed by them to Individuals, much cheaper than they can obtain them immediately from the Crown, occasioned by the charges arising from the solicitation of patents, making surveys and other contingent expences. Besides the difficulty the poorer sort are under from their ignorance of the proper methods to be taken in solliciting patents as well as their inability to advance ready money for such purposes. Whereas from Companies they have only to receive their Conveyances, without any previous Expence, credit given them to make their

payments, when by their industry they become enabled to do so.

And though attempts to settle in this way have sometimes miscarried, in the hands of Gentlemen possessed of afluent fortunes, because of that indolence and inattention frequently attending persons in such circumstances especially when not excited by the near prospect of immediate and considerable profit. The greater part of the present Adventurers being of good families and considerable influence in the Counties where they live, though possessed of but moderate fortunes, are induced from the goodness of the Soil and Climate of the Country upon the Mississippi to believe that by a proper application of their money and industry, they will acquire as well a present advantage as a provision for their prosperity; which being joined by the pleasing prospect of public utility; all their affairs will be conducted with that spirited assiduity, which in matters of danger and difficulty, can only insure success. The truth of this is evident from a determined resolution in several of the members to be themselves among the first settlers.

The Memorialists most humbly submit it to Your Majestie's great Wisdom whether the remote situation of this Country from the Colonies already settled may not render it expedient to protect the Infant Settlement from the insults of the Savages. Which protection might effectually be obtained, if Your Majesty were graciously pleased to order a small Fort to be garrisoned at the confluence of Cherokee River with Ohio; as it would interpose between the first Settlers, and the Chicazaw and Chattaes Indians, the only powerful Nations in that quarter. Which is probable, might by a small garrison, be influenced to continue in their ancient amity with British Subjects. Especially the former of these Nations, whose faith and friendship have ever remained firm and unaltered. At the same time a garrison placed at the junction of Ohio and Mississippi Rivers, if they should be disposed to encroach on the Dominions of Your Majesty, in that part where they appear to have been inclinable to take footing on account of its communication with

the northwestern lakes ; and the conveniences wherewith in time of War they can harass and disturb Your Majestie's Colonies already settled.

It is humbly conceived from the mild and friendly disposition of the Southern Indians that the Settlement of the Country proposed, may be obtained more safely and speedily by beginning such settlem^{t}· in their Neighborhood than further North, where the fierce and warlike Irocois, with their six Nations ever accustomed to War and shedding of blood, would certainly obstruct, if not absolutely prevent the Settlement for many years to come, while the southern Settlem^{t}· begun in safety and advancing in security will soon become much too powerful to be prevented in their progress, by the enmity of the Northern or any other Indians. At the same time that by conducting a trade useful to the Indians on the borders of Mississippi they will effectually prevent the success of that cruel policy, which has ever directed the French even in time of peace, to prevail with the Indians their Neighbors to lay waste the frontiers of Your Majestie's Colonies thereby to prevent their increase.

In consideration of the reasons here afforded, the Memorialists most humbly submit this their Memorial to Your Majesty's Wisdom.

Resolved that W^{m} Lee, Esq., be appointed Treasurer to the Company and that he give Bond with Security, in the Penalty of One thousand pounds current money to the Company for the just and faithful performance of his Office of Treasurer.

Resolved that the annual general meeting of the Company shall be held at Stafford Court House in Virginia on the first day of October if the same should not happen on Sunday ; if it should then the meeting to be on the day following.

Resolved that the following members to wit, Honble Presly Thornton, Thomas Ludwell Lee, Richard Henry Lee, Francis Lightfoot Lee, Henry Fitzhugh, John Augustine Washington, William Booth, William Brodenbrough, Richard Parker Esquire, and Doctor William Flood be appointed a Committee of the Company who are to meet at Westmoreland Court House

in Virginia twice a year (that is to say) on the 10th day of May and the 10th day of November, if not on Sunday; if it sho[d]- happen to be on Sunday, then the meeting to be on the next day and likewise they are to meet as much oftener as the affairs of the Company require; and the said Committee to have such power as they, by the general Articles of Agreement, are vested with.

Resolved that the said Committee do with all possible diligence transmit the Memorial after the same shall be fairly transcribed, to Thos. Cumming Esqr. of London to be by him laid before the King; that they invite Mr. Cumming to be one of the Company, and desire him to procure subscribers to the Scheme, not exceeding nine of such influence and fortune as may be likely to promote its success. That the Committee request Mr. Cumming, that if he sho'd not choose to be one of the Company or to sollicit their Grant, to put all their affairs into the hands of an Agent or Sollicitor as in his opinion may be most likely by his Interest and Diligence to Succeed; That Mr. Cumming on finding the Ministry disposed to comply with the Company's Memorial give the most early intelligence thereof to the Committee, in order that a meeting of the Company may be had to raise such a Sum of money as may be sufficient to obtain Letters Patent from the Crown, that in the meantime he proceed as far as the nature of the thing will admit in issuing out the said Letters Patent; That he inform the Committee, the expence that will accrue on the said issuing of such Letters Patent.

Resolved that the Sum of One Hundred and Twenty-two pounds Sterling be forthwith paid by the Company into the hands of the Treasurer to be by him disposed of according to the direction of the Committee. Each member being allowed to pay his proportion in so much current money of Virginia as will amount to his Sterling proportion.

Resolved that the Committee inform Mr. Cumming that if he chooses to undertake the Sollicitation of their affairs they present him with an hundred Guineas as an earnest of their present and future good-will.

Resolved that altho' the Original Articles of Agreement, do declare that a general meeting of the Company shall be had at one particular time and place annually ; yet if it shall happen that the circumstances of affairs render it necessary that a general meeting should be more frequently held, the Committee shall have power to summon the said general meeting (by advertising it twice in the Virginia and Maryland Gazette) as often as shall be requisite, and a majority of such general meeting as meet shall have full and ample power to determine all matters relative to the Company and their determinations to be binding on the whole Company and that it shall be a never failing rule of the Company, whenever a contrariety of opinion shall arise concerning the Sum of money to be raised and different Sums shall be proposed, that the least Sum mentioned shall first be put to question, and rise from thence to the next greatest Sum, untill the highest Sum proposed has been put, and that which has the largest number of votes shall be the Sum to be raised by the Company.

Resolved that if the Company shall be so fortunate as to succeed in their Sollicitations, and a grant be obtained for the Lands they request in that Case when it shall be determined by a general meeting that a division of the Lands shall be made, such a division, shall for the sake of fairness and impartiality, be effected in the following manner: The whole Quantity of Land shall be divided into as many equal lots or parcels, as there shall be members or shares in the Company, and the lots so divided shall be numbered, and as many correspondent numbers being prepared, each member or a substitute by him appointed (provided he make such appointment in twelve months after the Division shall be agreed on, and notice thereof conveyed to him, by the Treasurer for the time being, but if he fail to make such appointment then the majority of the general meeting shall appoint a person to act for such absentee) shall draw from among such corresponding numbers, and whatever number is drawn by each shall take such lot of Land, the number of which agrees with the numbers drawn.

II. "Reasons for establishing a British Colony at the Illinois with some Proposals for carrying the same into immediate Execution."[1]

The Country of the Illinois on the Mississippi, is generally allowed to be the most fertile and pleasant Part of all the Western Territory now in the Possession of the English in North America.

The French Canadians have long called it, *The Terrestrial Paradice.*

It appears from the best Intelligence, that about Four Hundred French Families are now settled in that Country; and that, in all Probability it would have been the most considerable French Settlement in North America, had not the Inhabitants throughout Canada, and Louisiana, particularly those living among, or near Indians, been Subjected to Military Command, liable to be taken from their Farms even in the Time of Harvest, to go upon distant Expeditions, and to have the Product of their Labour seized for the Use of the Army.

It has been the mistaken Policy of the French to aim at establishing Military instead of Commercial, Colonies in North America. Their Views were to expel the English from all their Settlements on the Sea Coast, and thereby to engross the whole of the Continent.

In this, however, they have, thro' Providence, been happily disappointed.

But had the French contented themselves with settling and improving the Country they actually possessed, they would have rivalled the English in their most valuable American Commodities, and have increased the Commerce of France, and consequently the French Power, to a very great Degree. For instance,

[1] In Sir William Johnson's letter of July 10, 1766, Board of Trade Papers (Hist. Soc. Pa.), Plantations General, vols. 27 and 28, 1765–1767; Franklin Papers (Am. Phil. Soc.), LVIII, 4.

The Lands in Louisiana produce Tobacco of a much superior Quality to any raised in either Maryland or Virginia, and Rice and Indigo equal to the best of Carolina.

Those Articles, with Skins and Furs, are the principal Commodities which North America has hitherto produced to any great Extent, for European Consumption.

But were the Lands on the Mississippi well settled, we should be enabled to supply all Europe with those Commodities, and at a far cheaper Rate than they could be afforded from any other Country.

But what is of the utmost Consequence to Great Britain, no Country in the known World is better adapted than this for the Raising Hemp, Flax and Silk.

Of the Former, indeed, there are immense Quantities growing Spontaneously on the large extensive Plains of Louisiana, And this wild sort appears from some late Experiments, to have a firmer Texture than that commonly cultivated. The Country likewise abounds with Mulberry Trees and both native and foreign Silk Worms thrive extremely well there.

Great Britain might also be furnished from thence with Cotton, Copper, Iron, Pot Ash, Wine, Salt petre, a great variety of valuable Medicinal Drugs and other Articles, which, with those mentioned before, make the great Ballance of Trade against the Nation, and drain it of its Treasure.

From the Illinois we might likewise carry on a more extensive and advantageous Fur-Trade, with the numerous Indian Nations which reside near the Lakes and the different Branches of the Mississippi, than was ever known since the first Settlement of America;—Supplying them with British Manufactures to a vast Amount.

Nor will the French be able to rival us in this Trade, as we can transport our Goods through Pennsylvania and Virginia to that Country much cheaper than can be done from New Orleans up the Mississippi. This is the only passage the French have now left, and being all the Way, *against the Stream* is extremely difficult and tedious. Whereas the English have now a ready

Communication from Virginia and Pennsylvania to Fort Pitt on the Ohio, and from thence have Water Carriage *with the Stream* to the Mississippi, and when they have disposed of their Goods to the Indians in that Country, they may easily transport the Commodities they receive in Return down the Mississippi to Mobile, and from thence ship them to England.

For want of this Opening thro' the middle Province of North America to the Mississippi, the French never had it in their Power to reap so much advantage from that Country as the English now may.

After several Disappointments, and much Expence and Trouble, the English have at length got possession of all the French posts on the East Side of the Missippi [*sic*].

A Question arises. What will be the most efficacious Means of supporting these Posts, so distant from every British Settlement, and yet so necessary to maintain the British Interest amongst the numerous Indians which inhabit that, and the adjacent Country?

It is answered, That there is no Way so effectual as to settle a Colony at the *Illinois* under a good civil Government.

This Colony being in one of the finest Corn Countries in the World, would have it in its Power, not only to supply the different Posts in the Indian Country, but the two *Floridas* with provisions. Several of the French Writers term it the *Granary* of Louisiana, and mention that at a Time when there happened to be a Scarcity at New Orleans, the French Settlement at the Illinois, small as it then was, Sent them upwards of 800,000 Weight of Flour.

If we have not a Colony on the Spot, to support the Posts We are now possessed of in that Country, the French who have a Fort and an encreasing Settlement on the opposite Shore of the Mississippi, will have it in their Power, by means of their Influence with the Indians, to intercept our Supplies, interrupt our Trade, and ultimately cut off all Communication between the Illinois and the present English Colonies.

It is said, that many of the French in Canada, and numbers

of those settled on the East Side of the Mississippi, near our Posts, intend to remove to the Settlement belonging to the French on the opposite Shore.

Should the French succeed in establishing a Colony there (which they probably will as it is in so fine a Country) and we have not another to Balance it, in that part of the World, the Consequences may be very Prejudicial to the British Interest.

It may not be amiss to quote here the Sentiments of a late Writer very conversant with this Subject. In speaking of the Fineness of the Soil and climate of the Country on each Side the Mississippi, near the Illinois, he says "It is this that has made the French undergo so many long and perilous Voyages in North America, upwards of Two Thousand Miles, against Currents, Cataracts, and boisterous Winds on the Lakes, in order to get this Settlement of the *Illinois*; which is nigh to the *Forks of the Mississippi*, the *most important place* in all the inland Parts of North America, to which the French will sooner or later remove from *Canada*; and there erect another Montreal, that will be much more dangerous and prejudicial to us, than ever the other in Canada was. They will here be in the Midst of all their old Friends and Allies, and much more convenient to carry on a Trade with them, to spirit them up against the English etc. than ever they were at Montreal. To this Settlement, where they likewise are not without good Hopes of finding Mines, the French will forever be removing, as long as any of them are left in *Canada*."

The most likely Way to prevent these Mischiefs, and to enable the English to dispossess the French of the remaining Part of Louisiana, should a future War make it expedient, will be, it is thought, to establish a Colony there, agreeable to the following Proposals, Viz^{t}.

1. Let the Crown purchase of the Indians all their Rights to that Tract of Country lying on the East Side of the River Mississippi, between the Illinois River and the River Ohio, and Fifty Miles back from the said River Mississippi.

Remarks

This Tract includes *Fort Chartres, Cahoke, and Kaskasquias* (three considerable French Settlements) and it is said from good Authority, that the Indians have expressed an Inclination to part with it to the English on very moderate Terms, and that they might easily be persuaded to sell all the Lands as far back as the Heads of the several small Rivers which empty themselves into the Mississippi between the Illinois and the Ohio. They having a greater Quantity of fine Hunting Country than they can ever have any use for. This would be a sufficient Tract to begin a Colony upon, and having a natural Boundary, would be most preferable.

2. Let a Civil Government be established there, agreeable to the Principles of an English Constitution.

3. Let the first Governor be a person experienced in the Management of Indian Affairs, and who has given Proofs of his Influence with the Savages.

Remark

This is a Matter of the utmost Consequence in the first Settlement of a Colony surrounded by Indians: And for want of a due Attention to it, many Undertakings of the like kind have either entirely failed, or been greatly impeded.

4. Let all the Lands which may be granted within the first Twenty Years be laid out in Town Ships, after the Manner practiced in some of the New England Colonies, or according to the Plan laid down in the *Historical Account of the Expedition under Colonel Bouquet*[1], lately published (quod vide).

Remark

The Advantage of this Mode of Settling in a Country surrounded by Savages, who may One Day become Enemies, are too obvious to need mentioning.

5. Let Grants of Land in this Country be offered to the *Pro-*

[1] See p. 119. n. 45, and bibliography for account of pamphlet.

vincial Officers and soldiers who served in the late War in America, in the following Terms,-Viz[t]

100 Acres to every common Soldier.
150 Acres to every Corporal and Serjeant.
250 Acres to every Ensign.
350 Acres to every Lieutenant.
350 Acres to every Surgeon.
350 Acres to every Chaplain.
500 Acres to every Captain.
750 Acres to every Major.
1,000 Acres to every Lieut. Collonel.
1,200 Acres to every Collonel.

The Soldiers, Corporals and Serjeants who have served more Campaigns than one to have *Ten* Acres besides for each Campaign after the first. The Ensigns, Lieutenants, Surgeons, Chaplains and Captains *Thirty*, and the Majors, Lieut. Colonels, *Fifty* Acres, in like manner Each General Officer (of which there were two or Three) to have a Grant of 5,000 Acres. The whole to be granted in Fee, and to be exempt from Quit Rent for a certain Term of Years, or for, and during the natural Lives of the said Officers and Soldiers; and then to be liable to the same only as is reserved in Virginia. No Grant to be made to any Officer or Soldier under Fifty Years of Age, who does not appear *in person* at the *Illinois* (with a Certificate from the Government, or Commander in Chief of the Province in whose Employ he was, specifying his Station, and the Number of Campaigns he was in the Service) and actually make a Settlement on the Lands for which he shall receive a Warrant of Survey.—But such Officers and Soldiers as are fifty Years of Age and upwards, and who may not incline, or be able to remove to the Illinois, should be allowed either to dispose of their Rights to Grants of Lands to such Persons as will settle them, or place Tenants thereon, as may be most convenient to themselves. Provided; That every Officer and Soldier who does not make, or cause to be made a Settlement and Improvement on the Lands he may be entituled to, within Six Years after the

Arrival of an English Governor at the Illinois in order to establish a Colony there, shall forfeit all Right and Title Thereto. Provided also that every Officer of the Rank of a Captain, and upwards shall at his own proper Cost and Expence settle upon his Grant at least One white Protestant Person for every Hundred Acres thereof within Six Years following the Date of his said Grant—Subject to the Forfeiture of such Proportion of the said Grant, as there shall be a Deficiency of that Number of Settlers.—It would be proper for the Crown to furnish the Soldiery with a few Implements of Husbandry at their first Arrival at the Illinois, and to allow all Settlers the Use of the King's Boats at Fort Pitt, and other Assistance, to transport themselves as far as the Mississippi.

Remark

The giving Encouragement to these Men, who are Soldiers as well as Farmers, etc[a] to engage themselves in the first Settlement of this Country, will be not only, Right in point of Policy, but be an Act of Justice. The Provincial Officers and Soldiers who have served in the several Campaigns during the War in America, and who have undergone equal Fatigues, and run equal Hazards with the King's Troops, think it extremely hard, that they should not be allowed, as well as the disbanded Regulars, a Grant of some of the Lands in that immense Tract of Country, which they have assisted in obtaining from the Enemy, especially as they had not equal Advantages when in Service; The Officers not being entituled to half Pay, nor the Men to Chelsea Hospital. They were generally paid off and discharged, as soon as the Campaign was over. The giving these persons Lands in Proportion to their Rank, and the Number of Campaigns they have served will be likewise a great Encouragement to the Colonists to enter into the Military Service on any future Occasion. And, besides, it is said, that at the Beginning of the late War, the Americans were promised, or given to understand, that such of them as engaged in the Provincial Service, should, when the War was at an End, have some such Gratification in Land as is here proposed.

6. Let all Mines and Minerals belong to the Owners of the Land in which they may be found, except those denominated *Royal Mines*, and of these let the Crown reserve a Fifth, clear of all Charges.

Remark

This will encourage People to be at the Trouble and Expence of searching for and working of Mines, but if the whole or too great a Part is reserved to the Crown, they will want the necessary Inducement to make Discoveries, whereby both the Crown and Nation may be prevented from receiving many Advantages.

7. Let there be 500 Acres reserved in every Township for the maintenance of a Clergyman of the Established Church of England.

Remark

As it is the Interest of every Nation, that the Religion, it has thought proper to establish, should be the Religion most generally prevalent throughout its Dominions, this Matter ought to be particularly attended to in America, and the Church be well supported there, otherwise Presbyterianism will become the Established Religion in that Country. It is much to be regretted, that the Crown did not reserve in each of the Colonies, Lands for this purpose, at the Time of granting their respective Charters. It is however not yet too late for the Crown to cause such Reservations to be made in many of the old settled Colonies, particularly Nova-Scotia, New York, Virginia, North and South Carolina and Georgia. Care should likewise be taken, in Time, to make the like Provision in our new Acquisitions, Canada, and the Two Floridas.

8. Let the Bounds of the Colony be as follows, Viz. From the Mouth of the Ouisconsin (or Wisconsing) River down the Mississippi agreeable to Treaty, to the Forks, or Mouth of the Ohio. Then up the same River Ohio to the River Wabash, thence up the same River Wabash to the Portage at the Head thereof, Then up the said Portage to the River Miamis and

down the said River Miamis to Lake Erie. Thence along the several Courses of the said Lake to Riviere al Ours (or Bear River) and up the said River to the Head thereof, and from thence in a straight Line, or by the Portage of St. Joseph's River and down the same River to Lake Michigan, then along the several Courses of the said Lake on the South and West Side thereof to the point of Bay Puans, and along the several Courses on the East Side of the said Bay to the Mouth of Foxes River, thence up to the Head thereof and from thence by a Portage to the Head of Ouisconsin River, and down the same to the Place of Beginning.

Remark

These being natural Boundaries may be easily ascertained. Altho' no Person should be allowed to settle on any Lands, but what are within the Bounds purchased by the Crown of the Indians, yet it will be highly proper, that the Civil Jurisdiction of the Colony should extend much farther than will be probably purchased for many years to come; otherwise loose, evil disposed Persons may straggle into those Parts, and commit Disorders that may involve the Colony in Disputes with the Indians, and be attended with fatal Consequences. And it might have good Effects if a Civil Authority was likewise established at D'Etroit, to take Cognizance of all Misdemeanors committed by British Subjects upon the Lakes and Country adjacent.

9. But that a Colony may be *speedily* settled at the *Illinois*, and the Crown and Nation receive the Advantages to be derived from it, without Delay, A Company of Gentlemen of Character and Fortune are ready and willing to engage, That if the Crown will make them a Grant, in Fee of [ ] Hundred Thousand Acres of Land free of Quit Rent for [ ] Years to be located in one or more Places as they shall chuse, within the Bounds above mentioned, They will at their own proper Cost and Expence, Settle thereon at least One white Protestant Person for every Hundred Acres within [ ] Years next following the Date of their Grant; Subject to the Forfeiture of such

Proportion of the unsettled part of the said Grant as shall be equal to a Deficiency of that number of Settlers—And the said Company will likewise engage to settle at least 2,000 of the said Persons on the Lands aforesaid within [ ] Years next after the Date of the said Grant, or the Arrival of a Governor in the said Colony: unless an Indian War should happen to put it out of their Power.

The Crown need not be put to much Expence to procure the Settlement of this advantageous Colony. The Principal Charges will be a Salary to the Governor, and some other Officers of Government for a few Years, when the Colonists will be enabled to support their own Civil Establishment.

And if there were two or three Companies of light Infantry, and of light Horse were raised and disciplined in the manner, and on the Terms, recommended by Coll. Bouquet in the Publication before mentioned, They would not only be an effectual Security for the Colony in its Infancy, but also contribute greatly to the Protection of the Frontiers of the Old settled Colonies from the Incursions of the Indians, and they would likewise be of infinite Service in case of a future War with the French. This Corps might be raised and disciplined within a Year, or two at farthest, when the Regiment now posted there might be employed upon other Service more suitable to such Troops, unless indeed it should be thought necessary to keep a few of them to do Garrison Duty for some Time longer. The Officers who served during the War in America in the Corps of light Infantry and Rangers would be the most proper to raise and discipline the Foot Companies; but for the light Horse it will be necessary that Officers should be sent from England, who have been accustomed to that Service. Horses of a good Sort are to be had in great plenty at the Illinois. If a Company, or two of this kind of Soldiery were also kept at each of our principal Posts in the Indian Country, it would be the most likely Means of deterring the Indians from going to War with us in future.

3. LORD HILLSBOROUGH TO GENERAL GAGE.[1]

Most Secret.

WHITEHALL, Jan. 2d, 1771.

Nothing has happened since my last Letter to You to strengthen our hopes that the Public Peace might be preserved; on the contrary, there is but too much reason to apprehend that the matter in Negotiation with the Court of Spain will have its Issue in a speedy war, the Success of which will depend upon the most vigorous Exertions of every Strength this Kingdom is able to put forth.

In this situation it has become necessary to give full Scope to the Consideration not only of those measures which it may be proper to pursue for the Defence and Security of His Majesty's Possessions, but also in what places the Enemy may be annoyed and attacked with the greatest Advantage and best hope of Success, and also what Steps may be advisable, preparatory to any Enterprize that may be undertaken.

The Result of this Deliberation, so far as it regards offensive Operations in America, has been the adopting a Proposition to begin those operations by an attack upon New Orleans.

The Advantage that would attend the entire Possession of the Mississippi, both in point of Commerce and of Security to the rest of the King's Possessions in North America, have been fully expiated upon and explained in the Course of Our Correspondence and those Advantages combined with the general Intelligence of the small Number of Troops left in Louisiana by General O'Reilly, the Indisposition or rather aversion of the French Inhabitants to the Spanish Government, the great Extent and Weakness of the Defenses of the town of New Orleans, and the supposed Practicability of approaching it either on the side of West Florida or By the Rivers Ohio and Mississippi, have been the grounds on which this Proposition has been adopted. The Practicability, however, of such an undertaking,

[1] P. R. O., Am. and W. I., vol. 127.

as well as the Quantum of Force to be employed, and the manner in which the attack is to be made, must entirely depend upon your own Judgement, forming that Judgement on a variety of Facts and Circumstances that cannot be known here; and therefore it is the King's Pleasure that you do give the fullest Consideration to this Proposition, and if you see no reasonable Objections to it that you do take such preparatory Steps as shall be necessary for carrying it into immediate Execution, so soon as you shall receive the King's Orders to commence Hostilities, in Case His Majesty should be driven to that necessity;—An Event that will probably be decided upon in a few days.

It is the King's present intention, from the reliance His Majesty has upon your Ability and Zeal for the Honor of His Arms, that you should command upon this Expedition in Person: and as the Assistance of a Naval Force may be necessary on the side of the Gulph of Mexico to prevent any Succours being thrown in, either before or after the Operations are commenced, the Commander-in-Chief of the Squadron at Jamacia will be ordered to co-operate with you in this important Service, and to afford every aid the nature of his command will admit of.

The King's Servants having submitted to His Majesty their Opinion, that, as well for carrying into Execution the proposed Attack upon New Orleans, as for answering any other purposes which Government may have in view in the Prosecution of a War, it may be advisable that a large body of Troops should be collected together in one convenient Spot; I am therefore commanded to recommend this Measure for your Consideration; but at the same time I must not omit to mention to you that the force in the Province of Quebec should not be diminished, nor any reduction made of that in Newfoundland or in West Florida, nor that the Posts upon the Lakes should be left in a State of Insecurity.

4. GENERAL GAGE TO LORD HILLSBOROUGH.[1]

NEW YORK, April 2d, 1771.

Your Lordship's *Most Secret* of the 2d of January has been received. . . .

From all accounts that have been received hitherto, of the State and Condition of Louisiana, an Attack upon that Province is very practicable, and of the different means of approaching New Orleans the River Mississippi is judged the most advantageous; tho' feigned attacks might at the same time be of service, on the side of the Ohio, and West Florida.

Your Lordships Letter was not received till the 25th ult. the Packet having been about ten weeks from Falmouth, a Passage unfortunately long at this Juncture; but the greatest Diligence will be used to assemble a Body of Troops. And in due Consideration of every circumstance requisite in the fitting out an Expedition, I know no place in North America so proper as the Port of New York. I therefore propose, till camp Equipage is provided, or that the weather permits to encamp the Troops, to post them as near to New York as I shall be able.

Orders have been transmitted for the 64th and 65th Regiments to embark at Halifax for Boston; from whence they will March into some of the Colonys the most contiguous to this, till further Orders; . . .

[1] P. R. O., Am. and W. I., vol. 127.

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the title of "Military Correspondence, Series America and West Indies." The greater portion of the correspondence between the ministry and the British agents in America having charge of the West is found in this collection. It cannot be said, however, that the original document is always to be found here; very often a copy or a mere extract is all we have. In the Colonial Office records are also found the "Board of Trade Papers", which contain a few valuable letters. The Home Office records and the War Office records likewise contain a few documents of importance. In a miscellaneous collection of the Earl of Chatham's papers, on deposit in the Public Record Office, is a bundle of papers having an important bearing on the West. The references in the foot-notes are to the old classification. The re-classification of the Public Record Office was commenced in 1908, and is not yet (1910) complete. The Guide to the Manuscript Materials for the History of the United States to 1783 in the Public Record Office, which is being prepared by Professor C. M. Andrews for the Carnegie Institution of Washington, will contain a key enabling references to the former classification to be found in the new classification.

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the early part of the period. Lack of proper references to the location of the originals, as well as evidence that the copies were not always made with absolute accuracy, render the use of this collection rather difficult.

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Considerations on the Agreement of the Lords Commissioners of His Majesty's Treasury, with the Honourable Thomas Walpole and the Associates for Lands upon the River Ohio in North America, in a Letter to a Member of Parliament. London, 1774.—Supposed by W. C. Ford (Bibliography of Franklin), to have been written by Franklin. Contains important statements on western colonization.

Expediency of securing our American Colonies by Settling the Country adjoining the River Mississippi, Considered. Edinburgh, 1763.—Of great importance.

Historical Account of the Expedition against the Ohio Indians 1764. —Attributed by Charles Whittelsey to Thomas Hutchins, and by Justin Winsor to Dr. William Smith of Philadelphia. In the Library of Congress is a letter by Smith asserting his own authorship of the book. The work is now available in the Ohio Valley Historical Series.

Hunt, William, *The Justice and Policy of the late Act of Parliament for making more Effectual Provision for the Government of the Province of Quebec, Asserted and Proved.* London, 1774.—Invaluable for view on the legal position of the West.

Hutchins, Thomas, *A Topographical Description of Virginia, Pennsylvania, Maryland, and North Carolina.* Reprinted from the original edition of 1778. Edited by F. C. Hicks. Cleveland, 1904.—An excellent account of conditions in British Illinois.

Invitation Sérieuse des Habitants des Illinois, by "Un Habitant des Kaskaskias." Philadelphia, 1772. Reprinted by Club for Colonial Reprints, vol. IV, with introduction and notes by C. W. Alvord and C. E. Carter. Providence, 1908.

Narrative of the Transactions, Imprisonment and Sufferings of John Connolly, an American Loyalist. London, 1783. Reprinted by C. L. Woodward. New York, 1889.

Pittman, Philip, *The Present State of the European Settlements on the Mississippi.* London, 1770.—Written by an English officer who did not thoroughly understand conditions in Illinois either in the French or British periods. Has been trusted too much. Most available in edition of F. H. Hodder. Cleveland, 1906.

Plain Facts. Philadelphia, 1787.—According to Sabin, this pamphlet was written by Benjamin Franklin or A. Benezet. According to W. C. Ford, it was written by neither of these, but by Samuel Wharton. Many later writers have copied from this work.

Political Essays concerning the Present State of the British Empire; Particularly respecting: (I) Natural Advantages and Disadvantages. (II) Constitutions. (III) Agriculture. (IV) Manufactures. (V) Colonies, and (VI) Commerce. London, 1772.—Attributed by Sabin to Dr. John Campbell. This is probably a wrong inference. Contains a contemporary criticism of the western policy of Great Britain.

Pownall, Thomas, *The Administration of the Colonies.* London, 1768.—Valuable for view of an English official relative to the merits of the French and English claims in the West prior to 1763 and to the relations of the two nations with the Indians.

Pownall, Thomas, *A Topographical Description of the English Col-*

onies. London, 1776.—Contains the earliest printed copy of Gordon's Journal down the Ohio in 1766.

Pratz, Le Page du, *Histoire de la Louisiane*, 3 vols. Paris, 1758.—Good treatment of French conditions in Illinois prior to 1763 by a French traveler.

Volney, C. F., *View of the Climate and Soil of the United States.* Translated from the French. London, 1814.—Excellent account of the character of the French in the Mississippi Valley towards the close of the eighteenth century.

CONTEMPORARY NEWSPAPERS.

There is in general little to be found in the newspapers relating to the West during the British period. Some stray bits of information, however, are gleaned from the following newspapers, found in the libraries of the Pennsylvania Historical Society and the American Antiquarian Society:

Pennsylvania Chronicle and Universal Advertiser, 3 vols. 1768–1774.

Pennsylvania Gazette, 34 vols. Philadelphia, 1728–1789.

Pennsylvania Journal, 13 vols. Philadelphia, 1751–1788.

Pennsylvania Packet and General Advertiser, 9 vols. Philadelphia, 1772–1784.

GENERAL HISTORIES AND BIOGRAPHIES.

Bancroft, George, *History of the United States from the Discovery of the American Continent*, 10 vols. Boston, 1834–1874.—For this essay, the early edition, containing references to sources, was used. The portions of the author's last revision which relate to the West, differ in no particular from those of the first edition. Bancroft had access to more material than any other writer, but his interpretations cannot be depended upon. Serious errors which have found their way into most of the western histories are traceable directly to this work.

Draper, L. C., "Life of Boone", 5 vols. MS. in Draper Collection, State Historical Society of Wisconsin.

Fitzmaurice, Lord Edmund, *Life of William, Earl of Shelburne*, 3 vols. London, 1875.—Necessary for understanding of Shelburne's position in England. Perspective very poor.

Franklin, Benjamin, *The Life of Benjamin Franklin, written by himself.* Edited by John Bigelow, 3 vols. Philadelphia, 1899.—Contains one valuable document. Otherwise of little use for present study.

Howard, George E., *An Introduction to the Local Constitutional History of the United States.* J. H. U. Studies. Baltimore, 1889.—No understanding of local institutions in British Illinois.

Hunt, William, and Reginald L. Poole, ed., *Political History of England.* 12 vols. New York, 1906.—Vol. X is of use on account of tables giving ministerial changes.

Kingsford, William, *History of Canada,* 10 vols. Toronto, 1887–1890.—In general a very sane piece of work, although the author is prejudiced against the French.

Parkman, Francis, *Conspiracy of Pontiac and the Indian War after the Conquest of Canada.* New library edition, 2 vols. Boston, 1903.—Invaluable but lacks sympathy for the French.

Parkman, Francis, *La Salle and the Discovery of the Great West.* Boston, 1903.

Parkman, Francis, *Montcalm and Wolfe.* 2 vols. Boston, 1903.

Perkins, James B., *France under Louis XV,* 2 vols. Boston, 1897.

Sabine, Lorenzo, *Loyalists of the American Revolution,* 2 vols. Boston, 1864.

Shea, John Gilmary, *Life of the Most Rev. John Carroll, embracing the History of the Catholic Church in the United States. 1763–1875.* New York, 1888.—Sound, but carelessly constructed. Practically the only trustworthy account of the Catholic Church in the West.

Sparks, Jared, *Life of Charles Lee.* In Library of American Biography, vol. XVIII. Boston, 1846.

Stone, William L., *The Life and Times of Sir William Johnson,* 2 vols. Albany, 1865.—Disappointing with respect to the West in which Johnson was greatly interested. The author had a large amount of material, but failed to master it.

Winsor, Justin, ed., *Narrative and Critical History of America,* 8 vols. Boston and New York, 1889.—Chapter on "The West" by Poole in vol. VI covers the British period, but is practically worthless so far as interpretation is concerned. The editorial notes are, however, very valuable. The chapter on "The Mississippi Valley" in vol. V, by A. McF. Davis, covering the period prior to 1763, is of more value. The bibliographical notes scattered throughout the volumes are indispensable.

SPECIAL AND SECTIONAL TREATISES.

Adams, Herbert B., *Maryland's Influence upon the Land Cessions to the United States.* J. H. U. Studies. Baltimore, 1885.—An uncritical study.

Alden, George H., *New Governments West of the Alleghany Mountains before 1780.* Bulletin of University of Wisconsin, II, Madison, 1899.—Good. He has confined himself almost entirely to printed sources, but has used them carefully. Interpretations sound.

Alvord, Clarence W., "Genesis of the Proclamation of 1763", in *Michigan Pioneer and Historical Collections*, vol. 37. Lansing, 1908. —Completely refutes old views of the proclamation. Indispensable to students of western history.

Alvord, Clarence W., "Introduction" to *Illinois Historical Collections*, vol. II. Springfield, 1907.—Contains excellent résumé of conditions in British Illinois. Based on original sources.

Alvord, Clarence W., "The British Ministry and the Treaty of Fort Stanwix", in *Proceedings of Wisconsin State Historical Society.* Madison, 1909.—Excellent for analysis of British ministry. Authoritative.

Annals of the West. Embracing a Concise Account of the Principal Events which have occurred in the Western States and Territories from the Discovery of the Mississippi Valley to the Year 1850. Edited by James H. Perkins, Cincinnati, 1846. Revised by John M. Peck, St. Louis, 1850, also by James R. Albach. Pittsburg, 1858.—Antiquated. Must be used with great care.

Babeau, H., *Les Assemblées Générales des Communautés d'Habitants en France.* Paris, 1893.

Babeau, H., *Le Village sous l'Ancien Régime.* Paris, 1879.—Necessary for an understanding of the French village community life.

Beer, George L., *British Colonial Policy, 1754–1765.*—An excellent, critical study of the colonial problems of Great Britain. He does not seem to appreciate fully, however, the magnitude of the western problem.

Benton, Elbert J., *The Wabash Trade Route in the Development of the Old Northwest.* J. H. U. Studies. Baltimore, 1903.—Confined altogether to printed sources, which have not been used critically. Has failed to grasp the larger aspects of the western trade.

Chalmers, George, *Opinions of Eminent Lawyers on Various Points of English Jurisprudence.* London, 1858. — Valuable for gaining point of view of certain English officials.

Coffin, Victor, *The Province of Quebec and the Early American Revolution: A Study in English-American Colonial History.* University of Wisconsin Bulletin, vol. I, no. 3. Madison, 1896.—Based on manuscript as well as printed sources. Useful for discussion of western

land policy of Great Britain. Some of the conclusions reached, however, need revision.

DeHass, Willis, *History of the Early Settlement and Indian Wars of Western Virginia*. Wheeling, 1851.—Of some use in study of western colonization.

Douglas, W. B., "Jean Gabriel Cerré, a Sketch", in *Transactions of the Illinois State Historical Society* for 1903. Springfield, 1904.

Dunn, J. P., "Father Gibault", in *Transactions of the Illinois State Historical Society* for 1905. Springfield, 1906.—Neither of the last-named articles contribute anything new.

Farrand, Max, "The Indian Boundary Line", in *American Historical Review*, vol. X, pp. 782–791.—Has missed many important sources. Will have to be rewritten.

Fernow, Berthold, *The Ohio Valley in Colonial Days*. Albany, 1890.—No contribution.

Franz, Alexander, *Die Kolonization des Mississippitales zum Ausgange der französischen Herrschaft*. Leipzig, 1902.—Of value for economic treatment.

Gale, Henry, *The Upper Mississippi or Historical Sketches of the Mound Builders, the Indian Tribes and the Progress of Civilization in the Northwest*. Chicago and New York, 1861.—Valueless.

Hamilton, Peter J., *Colonial Mobile*. Boston and New York, 1897.—The author has had access to important material relating to the occupation of the West. He has also followed Winsor pretty closely.

Harding, Julia Morgan, "Col. George Morgan: His Family and Times". Washington (Pa.) *Observer*, May 21, 1904.—Most complete account of the life of Morgan available.

Hildreth, Samuel R., *Pioneer History: being an Account of the First Examinations of the Ohio Valley, and the Early Settlement of the Northwest Territory*. Cincinnati, 1848.—Uncritical.

Hinsdale, B. A., *The Old Northwest*. New York, 1888.—Not based on original research. Very uncritical.

Hinsdale, B. A., "The Western Land Policy of the British Government from 1763 to 1775", in *Ohio Archæological and Historical Quarterly*. Columbus, Dec., 1887.—Uncritical and unreliable.

Hosmer, James K., *A Short History of the Mississippi Valley*. Boston and New York, 1901.—The author has generalized from secondary authorities. Untrustworthy.

Margry, P., *Decouvertes et etablissements des français dans L'Amerique septentrionale, 1614–1754*, 6 vols. Paris, 1887.

Monette, John W., *History of the Discovery and Settlement of the Valley of the Mississippi*, 2 vols. New York, 1848.—Antiquated and unreliable.

Moore, Charles, *The Northwest under Three Flags, 1635–1796*. New York and London, 1900.—Has used a few good sources in an uncritical manner.

Munro, William B., *The Seigniorial System in Canada: A Study in French Colonial Policy*. New York, 1907.—An excellent, scientific account of institutions in the contemporaneous colony.

Ogg, Frederic A., *The Opening of the Mississippi*. New York, 1904.—A popular treatment, based on secondary authorities. Of little value.

Roosevelt, Theodore, *The Winning of the West*, 4 vols. New York, 1896.—The author has seen many important sources, but has used them uncritically in some instances.

Rozier, Firmis A., *A History of the Early Settlement of the Mississippi Valley*. St. Louis, 1890.—Of little value.

Sato, Shosuke, *A History of the Land Question in the United States*. J. H. U. Studies. Baltimore, 1886.—Superficial.

Schuyler, Robert L., *The Transition in Illinois from British to American Government*. New York, 1909.—Has made excellent use of the printed sources.

Sioussat, St. George L., *The English Statutes in Maryland*. J. H. U. Studies. Baltimore, 1903.—Very useful.

Thwaites, Reuben G., "Early Lead-mining in Illinois and Wisconsin", in *Annual Report of American Historical Association*, 1893.—Good.

Turner, Frederick J., *Character and Influence of the Indian Trade in Wisconsin*. J. H. U. Studies.—Suggestive treatment.

Viollet, P., *Histoire du Droit Civil Français* (third edition). Paris, 1905.

Walker, Charles J., "The Northwest during the Revolution", in *Michigan Pioneer and Historical Collections*, vol. III.—Of little value.

Walton, Frederick Parker, *The Scope and Interpretation of the Civil Code of Lower Canada*. Montreal, 1907.—A sound work.

Whittelsey, Charles, "The Origin of Land Surveys", in *Journal of the Association of Engineering Societies*, vol. III, no. 11.—Controversial. Relates to authorship of the *Historical Account of the Expedition of Colonel Bouquet against the Ohio Indians*.

Winsor, Justin, *The Mississippi Basin*. Boston, 1895.—Covers early part of the period. Chief objection is the absence of reference to sources. Seems generally accurate.

Winsor, Justin, *The Westward Movement of the Colonies and the Republic west of the Alleghanies, 1763–1798.* Boston, 1897.—No foot-notes. Based on vast amount of material, but interpretations of events in the West during the British period not altogether reliable.

STATE AND LOCAL HISTORIES.

A single criticism will be sufficient for the greater part of the following works. With a few exceptions, to which attention will be called, they are almost worthless. Sufficient citations have already been made in the foot-notes to indicate the uncritical and unreliable character of most of the writings on western and Illinois history.

Alerding, H., *A History of the Catholic Church in the Diocese of Vincennes.* Indianapolis, 1883.

Billon, Frederick L., *Annals of St. Louis in its Early Days under French and Spanish Dominations,* 2 vols. St. Louis, 1886.—Necessary for the early history of St. Louis. The work of an antiquarian.

Blanchard, Rufus, *History of Illinois to accompany an Historical Map of the State.* Chicago, 1883.

Boggess, Arthur Clinton, *The Settlement of Illinois, 1778–1830.* Chicago, 1908.—Contains important references for study of land question.

Breese, Sidney, *Early History of Illinois.* Chicago, 1884.—Entirely untrustworthy.

Brown, Henry, *The History of Illinois, from its first Discovery and Settlement, to the Present.* New York, 1884.

Butler, Mann, *History of Kentucky.* Louisville, 1834.—Contains important documentary appendix.

Claiborne, J. F. H., *Mississippi as a Province, Territory and State.* Jackson, 1880.

Craig, O. J., "Ouiatanon", in *Indiana Historical Society Publications,* II. Indianapolis, 1895.

Davidson, A., and B. Stuvé, *A Complete History of Illinois from 1763–1884.* Springfield, 1884.

Dillon, John B., *The History of Indiana,* 2 vols. Indianapolis, 1843.—Most original of all the series of state histories.

Dunn, J. P., jr., *Indiana: A Redemption from Slavery.* Boston and New York, 1888.—Fair. Has not used all the available material.

Gayarré, C. E., *A History of Louisiana,* 3 vols. New Orleans, 1906.—The best that is available.

Gerhard, Fred., *Illinois as it is.* Chicago and Philadelphia, 1857.

History of Monroe, Randolph and Parry Counties, Illinois. Philadelphia, 1883.

History of St. Clair County, Illinois. Philadelphia, 1881.

Houck, Louis, *A History of Missouri*, 3 vols. Chicago, 1908.—An accurate, scientific work. Of little value, however, for the present study.

Mason, Edward G., *Chapters from Illinois History.* Chicago, 1901.

Mason, Edward G., *Illinois in the Eighteenth Century; Kaskaskia and its Parish Records.* Chicago, 1889.—Fair.

Mason, Edward G., "Philippe de Rocheblave and Rocheblave Papers", with historical sketch and notes, in *Chicago Historical Society Collections*, vol. IV. Chicago, 1890.—Generally accurate.

Moses, John, *Illinois: Historical and Statistical*, 2 vols. Chicago, 1889.—The best of the popular histories of Illinois.

Moses, John, "Court of Inquiry at Fort Chartres", in *Chicago Historical Society Collections*, vol. IV. Chicago, 1890.—A brief, but good sketch.

Parrish, Randall, *Historic Illinois: The Romance of the Earlier Days.* Chicago, 1906.

Peyton, J. Lewis, *History of Augusta County, Virginia.* Staunton, Va., 1882.

Phelps, Albert, *History of Louisiana.* New York, 1905.—A readable work, but no contribution.

Reynolds, John, *The Pioneer History of Illinois.* Belleville, Ill., 1852.

Smith, George, *A Student's History of Illinois.* Bloomington, 1906.

Terrage, Marc de Villiers du, *Les dernières Années de la Louisiane française.* Paris, 1903.—Good. The author has made better use of the colonial archives in Paris than any other writer. The work contains important quotations from the original sources. Considerable partiality is shown to Governor Kerlerec.

Wallace, Joseph, *History of Illinois and Louisiana under French Rule.* Cincinnati, 1893.—Decidedly uncritical.

ERRATA AND ADDENDA.

Page 51, line 9. "Pounds of ammunition" should be "rounds of ammunition."

Page 60, line 6 from the top. "1766" should be "1768".

Page 63, notes 76 and 78. "Jenning's" should be "Jennings'."

Page 74, note 120. The source is P. R. O., Am. and W. I., vol. 123.

Page 80, line 6 from the bottom. In civil and criminal actions the commissaries were to have all the powers of justices of the peace in any colony. In addition they were to have summary jurisdiction—as justices of the peace had not—of civil cases under 10 pounds sterling, but in such cases an appeal lay to the superintendent, whose decision was final.

Page 101, note 80. "Chapter VII" should be "chapter VI."

Page 124, note 62. For the best discussion of the attitude of the British ministry towards western expansion, see Alvord, "The British Ministry and the Treaty of Fort Stanwix", in Wis. Hist. Soc. *Proceedings*, 1908, pp. 165 ff.

Page 133, line 9 from the bottom. "Shelbourne" should be "Shelburne."

Page 137, note 102. Hillsborough's attitude at this time is best described by Alvord, in "British Ministry and the Treaty of Fort Stanwix", in Wis. Hist. Soc. *Proceedings*, 1908, p. 179.

Page 149, note 16, line 9 from the top. Dartmouth prepared and forwarded to Illinois what he called a "Sketch of Government for Illinois" should be "Dartmouth prepared and forwarded to Illinois what he called a 'Sketch of Government for Illinois'."

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